City & County of San Francisco

Civil Service Commission

RULES

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RULES

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RULE 1

AUTHORITY AND PURPOSE

Section 1.01. RULES PRESCRIBED-AUTHORITY

Under the authority of Article XI of the Constitution of the State of California and under Section 3.661 of the Charter of the City and County of San Francisco, the Civil Service Commission of the City and County of San Francisco does prescribe and adopt these Rules which shall have the force and effect of law.

Section 1.02. PURPOSE

These Rules are prescribed for the purpose of implementing the Charter provisions, assuring continuance of the merit system, promoting efficiency in the dispatch of public business, and assuring all persons in the Classified Service and all persons seeking admission thereto fair and impartial treatment.

Section 1.03. AFFIRMATIVE ACTION PLAN AND POLICY FOR EQUAL OPPORTUNITIES

A. Policy

1. It is the policy of the Civil Service Commission of the City and County of San Francisco that the doors of opportunity be maintained wide open to women and minorities in or seeking employment to the Service, that selection of employees to positions within the Service be made on the basis of merit in a racially and politically neutral way, and that continuing programs be maintained to afford equal opportunities to women and minority persons to achieve meaningful employment at all levels.

2. Vigorous enforcement of the laws against discrimination shall be carried out at every level of each department toward the end that all persons, regardless of race, religion, sex, national origin, ethnicity, age, physical handicap, political affiliation, sexual orientation, color, marital status, medical condition (cancer-related) or the conditions Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Conditions (ARC) shall have equal access to positions in the Service, limited only by their ability to do the job.

3. No person in the Classified Service or seeking admission thereto, shall be appointed, reduced, removed or in any way favored or discriminated against in employment or opportunity for employment because of race, color, sex, sexual orientation, political affiliation, age, religion, national origin, physical handicap, ancestry, marital status, color, medical condition (cancer-related), ethnicity or the conditions Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Conditions (ARC).

4. No person in the Classified Service or seeking admission thereto shall be discriminated against by reason of the exercise of his or her constitutional right of free speech in any language. This section shall not preclude departmental action against employees for inability to perform their jobs.

5. Departments, agencies, boards, and commissions of the City and County of San Francisco shall be required to provide reasonable accommodation to qualified handicapped employees or applicants for employment. This requirement shall also apply to qualified employees and applicants who have the conditions known as Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Conditions (ARC).

B. Analysis of the Work Force

1. Each department shall maintain records of its work force composition by race, sex, ethnicity and classification. These records shall also reflect new employments, promotions, transfers, and voluntary separations; and shall be reported to the Commission, Federal and State agencies as required. Individual employee names shall remain a confidential part of these records. The Commission shall make the non-confidential elements of these records available for public review upon request.

2. From the foregoing records, the Civil Service Commission staff shall annually prepare and report to the Commission an analysis of the workforce to determine whether percentages of sex, race or ethnic groups in individual job classifications are substantially similar to the percentages of those groups available in the workforce in the relevant job market who possess the basic job-related qualifications.

3. Whenever such analysis discloses substantial disparities within individual classifications, each element of the overall selection process shall be examined to determine which, if any, elements operate to exclude persons on the basis of sex, race or ethnic group. Such elements shall include, but are not limited to, recruitment, testing, ranking, certification and interviewing. The examination of each element of the selection process shall at a minimum include a determination of its validity in predicting job performance.

C. Affirmative Action Program for Equal Opportunities

1. Where the Commission finds that invalid selection procedures have had an exclusionary effect, the Commission shall establish goals and timetables for the specific job classification or occupational category and shall initiate measures designed to assure that qualified members of affected groups are included within the pool of persons from which selections are made, all of which shall take into account the availability of funding and basically qualified persons in the relevant job market.

2. The Commission commits itself to a continuing responsibility for maintenance of the following affirmative steps designed to maintain equal employment opportunities:

a. The examination of each element of each selection process to determine, at a minimum, its job relationship validity in predicting job performance;

b. Outreach recruitment designed to attract qualified members of disadvantaged groups;

c. Job restructuring efforts with the cooperation of appointing authorities to organize work and redesign jobs in ways that provide entry-level training opportunities for persons lacking "journey-level" knowledge of skills to enter, and, with appropriate training, to progress in a career field;

d. Revamping of selection instruments or procedures, as necessary, in order to reduce or eliminate exclusionary effects on particular groups in particular job classifications;

e. Inclusion of women and minorities on oral appraisal boards when practicable. Oral appraisal board orientations shall be conducted in writing or by means of automatic recording devices, and all such written orientation records shall be retained with the permanent records of the examination and may be inspected by candidates in accordance with Rule 9.16 as to inspection of papers.

f. Systematic efforts to provide career advancement training, both classroom and on-the-job, to employees locked into dead-end jobs.

D. Dissemination of the Rule

Copies of the foregoing Affirmative Action Rule shall be available in all City departments, which shall be responsible for its widest practicable dissemination. Members of the oral appraisal boards shall be given copies of this rule well in advance of interview sessions. The rule shall be distributed to all recruitment sources, local media, and employee representative organizations.

E. Monitoring and Evaluation

The Human Rights Commission of the City and County of San Francisco shall quarterly review the compliance status of the Civil Service Commission in regard to this rule and shall quarterly report its findings and recommendations to the Commissioners of the Civil Service Commission and to the Mayor. Upon request of the Human Rights Commission, the staff of the Civil Service Commission shall fully disclose all such non-confidential books, records, documents and other information as the Human Rights Commission shall deem relevant to the monitoring and evaluation function herein described. Upon request, the General Manager, Personnel, or authorized designee shall appear and give testimony before the Human Rights Commission with respect to the Civil Service Commission's compliance with any of the provisions of this rule.

F. Discrimination Complaints

1. Purpose

Pursuant to Charter Section 3.661, this rule establishes procedures to review and resolve allegations of discrimination on the basis of race, religion, sex, national origin, ethnicity, age, physical handicap, political affiliation, sexual orientation, ancestry, marital status, color, medical condition (cancer-related), or the conditions Acquired Immune Deficiency syndrome (AIDS) and AIDS related conditions (ARC). Any employee or applicant may file a complaint alleging that he or she has been discriminated against as a result of any employment decision made by any agency, department or commission of the City and County of San Francisco. The sole purpose of proceedings under this section is to provide a mechanism for the investigation and resolution of such charges of discrimination and to provide an appropriate remedy for the complainant where a determination is made that discrimination prohibited by this rule has occurred.

2. Filing a Complaint of Discrimination

Filing a complaint under this rule shall consist of the submission of a signed letter to the General Manager, Personnel, of the Civil Service Commission specifying those facts and reasons which support the charge. The letter of complaint must clearly state the basis upon which the charge of discrimination is filed and the specific adverse action about which the employee is complaining. The complainant bears the burden of proof and toward this end, should also provide supporting documents, names of witnesses and/or other facts that tend to corroborate the charge.

3. Filing Deadline Requirement

All such complaints must be filed, as specified above, within thirty (30) calendar days of the alleged discriminatory action or within thirty (30) calendar days of the date the complainant should have been aware of the alleged violation. The timely filing of said complaint under a specific Civil Service Commission approved departmental discrimination complaint procedure, where applicable, shall serve to satisfy this time requirement.

4. Discrimination Complaint Process

a. Upon receipt, the General Manager, Personnel, shall forward the complaint to the Assistant Secretary of the Civil Service Commission who shall forward copies of all such complaints to the San Francisco Human Rights Commission and to each member of the Civil Service Commission. The Civil Service Equal Employment Opportunity Unit (hereinafter EEO Unit) shall act on behalf of the General Manager, Personnel, for purposes of investigation, mediation, and/or any other resolution of all such complaints.

b. The EEO Unit shall contact the complainant for purposes of scheduling an initial intake interview and completion of the appropriate EEO complaint form. A copy of the complaint shall immediately thereafter be forwarded to the department against whom charges have been made.

c. Within ten (10) working days of written notification to the department being charged, the EEO Unit shall contact both parties to determine if resolution of the complaint is possible. Both parties are strongly encouraged to voluntarily attempt resolution of the allegations. The EEO Unit shall serve as a vehicle to mediate an amicable settlement where possible. Such an attempt shall not imply any determination or concession by either party with regard to the merit of the charges. Successful attempts at resolution shall result in a written agreement signed by both parties. A copy of said agreement shall be submitted to the General Manager, Personnel, for review. Subject to those limits prescribed by law, resolution agreements shall be implemented as soon as practicable.

d. Should the attempt at resolution fail, the EEO Unit shall conduct an investigation of the charges. Such investigative authority shall include the reviewing and obtaining of copies of relevant documents, interviewing individuals and such other activity as may be necessary to obtain information pertinent to the specifics of the charges. The investigation shall result in the submission of an Investigative Report or a Recommendation of Dismissal to a panel of three persons of whom one shall be designated by the General Manager, Personnel, one by the Office of the Mayor and one by the San Francisco Human Rights Commission (hereinafter the Panel).

This Panel shall constitute the Civil Service Commission's designee for purposes of hearing and disposition of employment discrimination complaints.

i) Recommendation of Dismissal

Where it appears after investigation that the complaint clearly fails to constitute a violation of this rule, the EEO Unit shall prepare a Recommendation of Dismissal specifying the reasons therefor. Said recommendation shall be forwarded to the Panel for review, to the complainant, and to the department charged with the alleged violation. Within ten (10) calendar days of the postmarked date of the Recommendation of Dismissal, the complainant may submit in writing to the EEO Unit, any facts or reasons opposing the Recommendation of Dismissal. The complainant's submission shall be immediately transmitted by the EEO Unit to the Panel. As soon as practicable after the receipt of complaint's submission or the expiration of complainant's time for submission, the Panel shall in writing dismiss the complaint or deny the Recommendation of Dismissal specifying the reasons therefor. Copies of the Panel's determination on the Recommendation of Dismissal shall be forwarded, within five (5) working days of the ruling, to the complainant and the department involved. No evidentiary hearing shall be held on the Recommendation of Dismissal. The complainant may seek review of a Panel's dismissal determination by the Civil Service Commission. The procedure and time limit for requesting such review shall be in accordance with Section 1.03.F.4.d.(v) below.

ii) Investigative Report and Hearing

Where it appears after investigation that corroborative evidence exists to warrant hearing of the charges, an investigative report shall be forwarded to the Panel and the hearing scheduled. Both parties to the complaint shall be given at least ten (10) working days notice of the date, time and location of the hearing. The complainant and the department shall have the right to have a representative at the hearing, call a reasonable number of witnesses, pose pertinent questions of opposing witnesses through the Chair of the Panel and present closing arguments.

The hearing shall be conducted in conformance with the Civil Service Discrimination Complaint Hearing Panel Procedures. A copy of these procedures may be obtained from the EEO Unit. The Panel shall issue written findings to both parties within thirty (30) calendar days of the conclusion of the hearing. When appropriate the findings shall include a remedy for the complainant which shall be enforced as soon as practicable. The determination of the Panel shall be final thirty (30) calendar days from the postmarked date of the written findings unless either party to the complaint seeks review by the Civil Service Commission. The procedure and time limit for requesting such review shall be those set forth in Section 1.03.F.4.d.(v) below. The final determination or settlement agreement reached under this rule shall be binding upon and enforced by every employee and appointing officer.

iii) Any challenge to the jurisdiction of the Panel to hear a complaint must be submitted in writing to the EEO Unit for transmission to the Panel within ten (10) working days of the date of the written notice of complaint sent to the department against which charges have been made.

iv) Subject to budgetary considerations, the proceedings shall be recorded by a Court Reporter. It is not required that a formal transcript of the proceedings be made. Should any party desire a formal transcript, that party shall bear the cost of obtaining the transcript. No attorney fees shall be provided to any party pursuant to proceedings under this rule.

v) Request for Review of a Panel Action

A request for review of a Panel dismissal determination or a decision after hearing may be filed in writing with the Assistant Secretary to the Civil Service Commission specifying the reasons therefor. The request for review must include, in detail, the specific issue(s) upon which the Panel dismissal or decision is challenged and must be received in the Office of the Assistant Secretary to the Civil Service Commission no later than thirty (30) calendar days from the postmarked date of the Panel's written dismissal or decision. Requests for review will be referred to the Civil Service Commissioners to determine if the Commission will agree to review the matter. The Commission shall render its decision within thirty (30) calendar days of the receipt of the request for review. If after consideration of the written request a majority of the Commissioners do not consent to hear the matter, the request is denied and the action of the Panel is final. If the Commission agrees to grant the request for a review, the matter shall thereafter be calendared. At any review the taking of evidence and oral arguments will be permitted only as the Commission may determine. The decision of the Civil Service Commission shall be final and no reconsideration shall be allowed.

5. Where the allegations underlying a timely-filed discrimination complaint also comprise the bases or are an element of a separate matter which is subject to hearing or determination by the Civil Service Commission in accordance with its Rules, the final determination reached under this rule shall constitute a Finding of Fact and the merits of the discrimination charge shall not be reheard.

6. Complaints relative to examination matters covered by Rule 3.04, 5.06 or the Office of Revenue Sharing (ORS) Compliance Agreement of July 1979 shall not be processed under this rule but shall be dealt with by the General Manager, Personnel, of the Civil Service Commission.

7. It shall be a violation of this rule to discriminate against, retaliate against or harass any employee or applicant because such employee has complained of or opposed any discrimination prohibited under this rule or has made a complaint, testified, supplied evidence, assisted or participated in any manner in any investigation, proceeding or hearing under this rule.

8. Any employee or applicant may file a complaint alleging that he or she has been retaliated against in violation of subsection F.7. of this rule and any such complaint shall be filed and processed in the same manner as other discrimination complaints under this rule.

9. Investigations, statements of witnesses and transcripts thereof taken pursuant to proceedings under this rule shall be used only for the purposes set forth in subsection F.4. of this rule and shall be held in confidence insofar as is practicable and fair.

10. This rule does not preclude an individual's right to file the same or similar complaint, under any approved city department, board, or commission discrimination complaint process, or with any state or federal regulatory agency, or to litigate for relief. Where there exists a specific Civil Service Commission approved departmental discrimination complaint procedure, the complainant may opt to utilize the procedure first or may directly complain to the Civil Service Commission in accordance with this rule. Where a timely complaint is filed with both the Civil Service Commission Equal Employment Opportunity Unit and an approved departmental discrimination complaint procedure, deferral shall be accorded to the departmental procedure unless the complainant indicates to the Equal Employment Opportunity Unit, in writing and within five (5) calendar days of the Equal Employment Opportunity Unit intake interview, that he or she want the departmental procedures to cease. In the event that the complainant elects to proceed under departmental procedures, the Civil Service Commission shall hold its investigation in abeyance, pending the outcome of departmental procedures. Complainant's opposing any finding of the department shall, within ten (10) calendar days of the issuance of the findings, request in writing to the Equal Employment Opportunity Unit that the Civil Service Commission reinstitute its procedures under this rule.

11. When a complaint filed under this rule is also filed with a state, federal or other agency duly authorized to investigate complaints of discrimination and to seek or impose relief, the Panel may determine that proceedings under this rule shall be suspended and deferral be accorded to that state, federal or other proceeding. When a charge of discrimination filed under this rule is also the subject or an element of litigation, proceedings under this rule shall cease and deferral be accorded to the court.

G. Incorporation of Federal Guidelines

The Commission, consistent with this rule, hereby adopts and incorporates the Federal affirmative action guidelines for local governments adopted by the United States Equal Opportunity Commission, the United States Commission on Civil Rights, the United States Department of Justice, the United States Department of Labor, and the United States Civil Service Commission as adopted August 26, 1976.

H. Annual Supplementary Plan

1. Within one-hundred-eighty (180) days of adoption of this rule and annually thereafter, the Commission shall adopt a Supplementary Affirmative Action Plan for Equal Opportunities (Annual Plan) consistent with this rule.

2. The Annual Plan shall include, at minimum, a report of the composition of the City workforce, a comparison of the City workforce with the available qualified San Francisco labor force by race, sex, and ethnicity, an identification of those classifications or occupational categories where substantial disparity exists, an analysis to determine the causes of disparity, and specific actions to be taken in order to resolve the discriminatory disparities within a defined timeframe.

3. The Annual Plan shall also include an evaluation and summary of the effects of specific actions undertaken in the previous year in order to determine the effectiveness of such measure.

4. In the development of the Annual Plan the Commission shall seek and consider the advice of experts, community representatives, city officials and recognized employee representatives. In order to accomplish this advisory function, the Commission shall, upon recommendation of the Mayor, appoint an advisory group to assist in the development of the Annual Plan.

I. Delegation of Responsibility

1. The Commission authorizes the General Manager, Personnel, to create and maintain an Affirmative Action Division and provide such Division with necessary resources to execute this rule pursuant to the Annual Plan.

2. The Commission recommends that all city appointing officers and commissions assume responsibility for the development of Departmental Affirmative Action Plans pertinent to their jurisdictions and consistent with this rule. It is suggested that each City department's Affirmative Action Plan include a policy statement, utilization of the workforce analysis, designation of responsibilities, and specific action items. The Civil Service Commission personnel staff will provide technical assistance to appointing officers and commissions in order to assist in the administration of Departmental Affirmative Action Plans.

Section 1.04. SEVERABILITY

A. If any rule, section, paragraph, sentence, clause or phrase of these Rules is declared unconstitutional or void for any reason, such declaration shall not affect the validity of the remaining portions of these Rules. The Commission hereby declares that it would have prescribed and adopted these rules, and each rule, section, paragraph, sentence, clause and phrase hereof, irrespective of the fact that any one or more rules, sections, paragraphs, sentences, clauses or phrases be declared unconstitutional or void.

B. The titles assigned to rules and sections are for reference purposes only and shall not be considered as a substantive part of these rules.

C. If there is any conflict in the provision of these Rules and the Administrative Code of the City and County of San Francisco, the Administrative Code language shall apply.

Section 1.05. AMENDMENT OF RULES

The Commission may at any time amend these Rules. Any such proposed amendment shall be posted for a minimum of seven (7) consecutive calendar days prior to adoption. Upon adoption, changes in the Rules shall be in effect and shall be printed. No change in the Rules shall affect a case pending before the Commission.

Section 1.06. COURT ACTIONS

In the event of an adverse decision in a legal action to which the Commission is a party, the City Attorney shall appeal through and to the highest court for final decision unless otherwise ordered by the Commission.

RULE 2

DEFINITIONS

Unless otherwise required by the context, the words herein listed and as used in these Rules have the following meaning.

Section 2.01.	APPOINTMENT	
	A. PERMANENT	An appointment made as a result of a certification from an eligible list to a permanent position or to a position declared permanent.
	B. PROBATIONARY	Status of employees during a trial period following permanent appointment.
	C. TEMPORARY	An appointment made to a temporary position as a result of certification from an eligible list.
	D. PROVISIONAL	
	1. NON-CIVIL SERVICE	An appointment to a permanent or temporary position in the absence of an available eligible or in an emergency which, in either case, is time limited to a maximum duration as provided elsewhere in these Rules.
	2. LIMITED TENURE	An appointment to a permanent or temporary position in the absence of an available eligible. Use of limited tenure appointment is restricted as provided in these Rules.
Section 2.02.	APPOINTING OFFICER	The head of an organizational unit having appointive authority within the organizational unit and the powers of a department head as defined in Section 3.501 of the Charter.
Section 2.03.	APPOINTMENT DATE	The date on which an appointing officer notifies the Civil Service Commission of his or her selection from a list of eligibles certified by the Civil Service Commission.
Section 2.04.	BULLETIN BOARD	The official bulletin board, so designated, at the Civil Service Department, used for posting of examinations and public announcements of the Commission.

Section 2.05.	CERTIFICATION DATE	The date on which the Civil Service Commission notifies an appointing officer of the name(s) of eligible(s) from which appointment(s) can be made to fill position(s).
Section 2.06.	CHARTER	The Charter of the City and County of San Francisco.
Section 2.07.	CITY	The City and County of San Francisco.
Section 2.08.	CLASS	A position or group of positions for which a common descriptive job title may be used.
Section 2.09.	CLASSIFICATION PLAN	All the classes which have been established, the procedures for maintaining the plan and the specifications or descriptions of each of the classes.
Section 2.10.	CLASSIFIED SERVICE	Includes all positions in the city service subject to competitive examination and/or salary standardization.
Section 2.11.	COMMISSION	The administrative body of Civil Service Commissioners empowered to enforce the civil service provisions of the Charter.
Section 2.12.	COMMISSIONER	A member of the Civil Service Commission of the City and County of San Francisco, appointed by the Mayor.
Section 2.13.	DEPARTMENT	Organizational unit or units under one appointing officer.
Section 2.14.	ELIGIBLE	A person who has standing on an eligible list.
Section 2.15.	ELIGIBLE LIST	A list of names of persons who have passed a civil service examination.
Section 2.16.	EXECUTIVE SESSION	A meeting or part of a meeting of the Commission legally held in private or with the general public excluded.
Section 2.17.	LAYOFF	Separation from a position because of economy, lack of funds or lack of work.
Section 2.18.	PERSONNEL DEPARTMENT	The administrative office of the Commission under the direction of the General Manager, Personnel.

Section 2.19.	POSITION	Duties and responsibilities assigned by an appointing officer to be performed by one employee.
	A. PERMANENT	A collection of duties, regardless of the source and nature of the funds, performed by one individual, which duties represent the ongoing work of the City and County. Such position(s) may be either, 1) enumerated in the Annual Salary Ordinance or Salary Resolution of the School Districts for which funds have been provided on a continuing basis; or 2) a position declared to be permanent by action of the Commission under authority of Section 8.329 of the Charter.
	B. TEMPORARY	A position in which the duties and responsibilities exist for a maximum duration of 1040 hours except in the case of a special project, defined elsewhere in these Rules, for up to a maximum duration of 2080 hours.
	C. PART-TIME	Positions less than the established full-time normal schedule of hours per day or days per week.
	D. EXEMPT	Temporary or permanent positions exempted from being filled from eligible lists in accordance with the provisions of Section 8.300 of the Charter.
	E. SCHOOL-TERM ONLY	Positions in the School Districts established for school term periods only.
Section 2.20.	POST	To place on the official Bulletin Board of the Commission.
Section 2.21.	SCHOOL DISTRICTS	San Francisco Unified School District and San Francisco Community College District.
Section 2.22.	SENIORITY	
	A. CIVIL SERVICE	
	1. PERMANENT	Seniority shall be determined by the date of certification which resulted in a permanent appointment to a position in a classification in a department. In the event of identical dates, seniority shall be determined by rank on the eligibility list, the higher eligible being the senior.

	2. TEMPORARY (from eligible list)	Seniority shall be determined by the date of certification which resulted in a temporary appointment to a temporary position in a classification in a department. In the event of identical dates, seniority shall be determined by rank on the eligible list, the higher eligible being the senior.
	3. LIMITED TENURE	Seniority shall be determined by the date an appointee starts to work in a position in a classification in a department on a limited tenure basis. Seniority in the event of ties shall be determined by the appointing officer. Employees who resign or are terminated and subsequently are reappointed shall have their seniority determined by their new dates of certification following separation.
	B. DEPARTMENTAL	Seniority for shift and work assignments, vacation or holiday schedule is determined by the appointing officer and is not within the authority of the Civil Service Commission.
Section 2.23.	SERVICE	The City and County of San Francisco government service, including the classified positions in the School Districts.
Section 2.24.	START WORK DATE	The date on which an appointee is first reported on the timeroll as working.
Section 2.25.	TIME PERIODS	Reference to time periods, such as one week or one month, etc., shall mean calendar days unless the rule specifically refers to working days.
Section 2.26.	VALIDATION DATE	The date on which the Civil Service Commission notifies an appointing officer that it has approved an appointment.

RULE 3

ADMINISTRATION

Section 3.01. ELECTION OF PRESIDENT AND VICE-PRESIDENT

At its first Regular Meeting in June of each year, the Commission shall elect one of its members President and one of its members Vice-President, and each shall hold office for a term ending May 31 of the next succeeding year or until a successor has been elected.

Section 3.02. DUTIES OF PRESIDENT AND VICE-PRESIDENT

A. The President shall preside at all meetings of the Commission and shall act as spokesperson for the Commission. The President or the Commission may establish such standing or special committees as deemed necessary. Nothing in these Rules shall prohibit the President from making or seconding a motion and otherwise fully participating as a Commissioner.

B. The Vice President shall assume the duties of the President when the President is absent or when the President shall designate the Vice President to act. In the event of the death, resignation or permanent disability of the President, the Vice President shall act for the President until the Commission shall elect a President to serve until the normal expiration of the term of the succeeded President. When acting for the President, the Vice President shall have all of the powers of the President and shall assume all of the duties of the President.

Section 3.03. SECRETARY

The Commission shall appoint a Secretary who shall be the Executive Officer of the Commission and who shall hereinafter be titled, General Manager, Personnel, and who shall hold office at the pleasure of the Commission.

Section 3.04. DUTIES OF GENERAL MANAGER, PERSONNEL

In the performance of all duties, the General Manager, Personnel, shall be responsible to the Commission. The duties of the General Manager, Personnel, shall be as follows:

A. Delegate duties where necessary and supervise and direct the work of all persons employed in the Civil Service Department or engaged in preparing, conducting, or scoring examinations;

B. Keep the minutes and other records of the Commission and certify to the same when required;

C. Administer and make effective the provisions of these Rules, establishing such administrative controls as may be necessary;

D. Make recommendations relative to matters of policy and for necessary amendments to these Rules;

E. Report to the Commission from time to time as directed concerning the details of the work of the Civil Service Department;

F. Prepare the budget for the Civil Service Department, approve accounts, and administer generally the expenditure of funds appropriated for the operation of the Civil Service Department;

G. Recommend to the Commission the appropriate classification of all positions in the Classified Service, maintain a schematic list of all classes in the Classification Plan, and prepare and maintain specifications for each class;

H. Direct the compilation of salary and wage data in accordance with the Charter for the Commission and shall be responsible for the administration of the salary plan;

I. Direct the order, preparation, and conduct of all examinations. In the performance of such examination-related duties, the General Manager, Personnel shall:

1. Determine the examinations to be conducted on an entrance, promotive or combination entrance and promotive basis;

2. Determine the minimum qualifications of applicants, the subjects to be covered in each examination, methods of testing, and the relative weights;

3. Prepare, post and distribute to appropriate departments bulletins announcing examinations;

4. Prepare the content or questions to be used in each examination, together with the standards or key answers;

5. Make arrangements for and supervise the conduct of the examination, appointing experts, special examiners, and other persons as deemed necessary;

6. Grade examination papers, evaluate the qualifications of applicants, and set passing marks;

7. Pass upon all questions relating to the eligibility of applicants, the determination of next lower ranks in promotive examinations, the admissibility of applicants to the examination, extensions of time and all questions arising during the course of an examination, subject to appeal to the Commission as provided in Rule 5, Section 5.06;

8. May authorize use of rosters of eligibles established by a trade, craft or occupational joint apprenticeship committee recognized by the State of California Department of Industrial Relations, Division of Apprenticeship Standards; and establish procedures to select from such rosters to fill apprenticeship positions or may authorize use of such rosters as the basis for establishing apprenticeship eligibility lists.

9. Determine the number of members comprising qualification appraisal boards.

J. Perform all functions necessary for the proper implementation of these Rules and the provisions of the Charter relating to Civil Service administration, as well as such additional duties as may be assigned by the Commission.

Section 3.05. ASSISTANT GENERAL MANAGER, PERSONNEL

In the absence of the General Manager, Personnel, the Assistant General Manager, Personnel, shall have all of the powers and duties of the General Manager, Personnel.

Section 3.06. ACTING GENERAL MANAGER

In the absence of the General Manager, Personnel, and the Assistant General Manager, Personnel, the General Manager, Personnel, shall appoint a Division Manager, Personnel, or an Assistant Division Manager, Personnel, to Acting General Manager, Personnel, until their return.

RULE 4

MEETINGS OF THE COMMISSION

Section 4.01. REGULAR MEETINGS

A. Regular meetings shall be held on the first and third Monday of each month at 2:00 p.m. in Room 282, City Hall, or at such other day, time, or place as the Commission at a prior Regular Meeting may designate. (Amended 8/26/85 - CSC Rule Change Number 3).

B. Any change of time or place of meeting shall be posted on the door of Room 282.

C. When a regular meeting day falls on a holiday, the Commission shall meet on the next succeeding business day unless at a prior regular meeting it designates some other day for its meeting.

D. A regular meeting shall not be adjourned before 5:30 p.m., provided that, if in the judgment of the President of the Commission all calendared business has been concluded, the meeting may be adjourned at an earlier time. Persons having a matter on calendar, who within five (5) working days following the date of the meeting request in writing that their matter be recalendared because of their non-appearance due solely to the earlier adjournment time, shall have their matter recalendared for original consideration. Nothing contained herein shall be construed as barring the Commission from recessing from time to time during the continuance of the meeting.

Section 4.02. ADJOURNED REGULAR MEETING

The Commission may adjourn any regular meeting to a time and place specified. The adjourned meeting shall be part of the regular meeting.

Section 4.03. SPECIAL MEETINGS

A. Special meetings may be called by the President only after forwarding written notice of intent to hold a special meeting to each Commissioner at least forty-eight (48) hours in advance of a poll conducted by the staff either in person or by telephone to determine a date convenient to all members of the Commission. If the President deems the purpose of the special meeting to be an emergency, the concurrence of a majority of the Commission, as determined by a telephone poll as directed by the President, shall be required. If the purpose of the special meeting is not an emergency, any Commissioner may preclude the holding of a special meeting on the day proposed by delivering to the General Manager, Personnel, a written notice of objection along with a statement of the reasons therefor.

B. Notice shall be sent by the General Manager, Personnel, to all concerned parties who have matters on the special meeting agenda. Such notice must be delivered personally or by mail at least 48 hours before the time of such meeting as specified in the notice. A copy shall also be posted on the Bulletin Board of the Civil Service Department. The notice shall specify the time and place of the meeting and the business to be transacted. No other business shall be transacted except that for which the meeting is ordered.

Section 4.04. COMMISSION MEETINGS - PUBLIC

All meetings of the Commission shall be open to the public except as otherwise provided in Rule 4, Section 4.05, or as otherwise provided in these Rules or the Charter.

Section 4.05. EXECUTIVE SESSION

The Commission may hold executive sessions to consider the employment or dismissal of an officer or employee subject to the jurisdiction of the Commission, or to hear complaints or charges brought against such officer or employee unless such officer or employee requests a public hearing.

Section 4.06. MINUTES

A. The General Manager, Personnel, shall record in the minutes the time and place of each meeting, the names of the Commissioners present, all official acts of the Commission and the votes of the Commissioners. When requested, a Commissioner's dissent or approval, together with the reasons therefor, shall be recorded.

B. The minutes shall be written and presented for correction and approval at the next regular meeting. The minutes or a true copy thereof, certified by the President and by the General Manager, Personnel, shall be posted at least five days prior to the next regular meeting.

Section 4.07. PERSONNEL ACTIONS - FORMAL COMMISSION APPROVAL NOT REQUIRED

The following reports of personnel transactions submitted by the appointing officers or requests from employees made to the Civil Service Department shall not require formal Commission approval, but shall be directly recorded on the service records of the employees:

A. Notification from Retirement System of retirement of an employee by reason of service or disability.

B. Report of death of an employee.

C. Entry into military service and separation from military service documents when presented by an employee or an eligible.

D. Request of an eligible that her/his name be removed from an eligible list.

E. Communications from appointing officers reporting assignments of employees from full-time to less than full-time positions, and from less than full-time to full-time positions, in accordance with the Rules of the Commission.

F. Suspensions imposed by appointing officers, as provided in Section 8.342 of the Charter, shall be recorded on the service records concerned when reported by the appointing officer.

RULE 5

GENERAL HEARING AND MEETING PROCEDURE

Section 5.01. COMMUNICATIONS

A. Communications requiring action by the Commission must be filed in writing in the Civil Service Department. The General Manager, Personnel, shall maintain a register of communications received with disposition recorded. Such register shall be open for public inspection during regular business hours.

B. Communications not requiring action by the Commission under these Rules shall be processed by the General Manager, Personnel, as provided by these Rules, and proper notations shall be made on the pertinent records.

C. A Commissioner may request that any matter be calendared. All requests for hearing shall be calendared within a reasonable period of time.

Section 5.02. QUORUM

The majority of all the members of the Commission shall constitute a quorum and the concurrence of a majority shall be necessary to any action.

Section 5.03. SECOND OF MOTION

A motion made by any Commissioner shall require a second.

Section 5.04. ROLL CALL VOTE

A roll call vote may be requested by a Commissioner on any matter before the Commission.

Section 5.05. TIE VOTE

A. A tie vote on a negative motion: the motion is lost, but the matter or request remains before the Commission for disposal.

B. A tie vote on an affirmative motion: the motion is lost and the matter or request before the Commission is denied.

C. If only four Commissioners are present and it is evident that they are not in agreement on the matter or request before the Commission, then any Commissioner or any interested party may request a postponement of action.

Section 5.06. APPEAL OF GENERAL MANAGER'S ACTION

A. Examination Matters

An action by the General Manager, Personnel, on examination matters delegated to the General Manager, Personnel, may be appealed to the Commission provided such appeal is received in the Civil Service Department before 12 Noon on the fifth (5) working day (excluding Saturdays, Sundays, and holidays) following the postmarked mailing date of notification to the appellant. The Commission's action on the appeal shall be final and no reconsideration request shall be allowed.

B. Wage and Salary Matters

An action by the General Manager, Personnel, on wage and salary matters delegated to the General Manager, Personnel, may be appealed to the Commission provided such appeal is received in the Civil Service Department before 12 noon on the seventh (7) working day (excluding Saturdays, Sundays, and holidays) following the postmarked mailing date of notification to the appellant. The Commission's action on the appeal shall be final and no reconsideration request shall be allowed.

C. Other Matters

An action by the General Manager, Personnel, on other matters may be appealed to the Commission provided such appeal is received within thirty (30) calendar days following the postmarked mailing date of notification to the appellant. The Commission's action shall be final and no reconsideration request shall be allowed.

Section 5.07. RECONSIDERATION OF COMMISSION ACTION

A. A reconsideration request of a Commission action may be filed in writing specifying the reasons therefor. The request for reconsideration of previous Commission action must include in detail new information not previously considered.

B. A request for reconsideration must be received in the Civil Service Department no later than thirty (30) calendar days following the postmarked mailing date of notification of the Commission's action.

C. Requests for reconsideration will be referred to the Commission for determination as to whether the Commission will agree to reconsider the matter. If after consideration of the written request a majority of the Commissioners do not consent to hear the matter, the request is denied and the previous action is final.

D. If the Commission agrees to grant the request for a reconsideration hearing, the matter shall thereafter be calendared. At any reconsideration hearing, the taking of evidence and oral arguments will be permitted only as to new information not previously considered by the Commission. Action by the Commission after a reconsideration hearing shall be final.

Section 5.08. MOOT QUESTIONS

Request for rulings on moot or hypothetical questions will not be considered.

Section 5.09. RULES OF ORDER

Except as otherwise provided herein, Robert's Rules of Order, in its latest revision, shall guide the Commission in its proceedings.

Section 5.10. ITEMS HEARD OUT OF ORDER

A request that a calendared item be heard out of order shall be presented at the start of the meeting to the President stating the reason for the request. The President shall decide if the request will be granted.

Section 5.11. CALENDARED MATTERS TO BE POSTPONED

All calendared matters to be postponed shall be announced at the start of the meeting.

Section 5.12. MATTERS TO BE HEARD BY THE COMMISSION

Only matters that have been calendared will be heard by the Commission at any meeting. No oral requests for rulings will be considered. Notification of the Commission actions shall be mailed no later than the second working day following such action.

Section 5.13. PROCEDURE FOR COMMISSION HEARINGS

All Commission hearings in disputed matters shall conform to the following procedures:

A. Consent Agenda

1. Presentation by opponent for a maximum time limit of five (5) minutes; and

2. Response by departmental representative for a maximum time limit of five (5) minutes.

No witnesses other than those designated above shall be permitted.

B. Regular Agenda

1. Presentation by staff or departmental representative for a maximum time limit of five (5) minutes; and

2. Response by opponent or appellant for a maximum time limit of five (5) minutes.

No witnesses other than those designated above shall be permitted.

C. Separation Hearings

1. Presentation by department for a maximum time limit of ten (10) minutes unless extended by the Commission:

   a. Opening summary of case (brief overview);
   b. Discussion of evidence;
   c. Corroborating witnesses, if necessary; and
   d. Closing remarks.

2. Presentation by employee or employee's representative for a maximum time limit of ten (10) minutes unless extended by the Commission:

   a. Opening summary of case (brief overview);
   b. Discussion of evidence;
   c. Corroborating witnesses, if necessary; and
   d. Closing remarks.

3. Rebuttal

The Commission may allocate five (5) minutes for each side to rebut evidence presented by other side.

D. Commission Authority

The Commission reserves the right to question each party during its presentation and, in its discretion, to modify the time allocations and requirements set forth above.

Section 5.14. REQUIREMENT FOR WRITTEN REPORT

All matters coming before the Commission, except matters properly heard in executive session, shall be supported by a complete report in writing prepared by the Civil Service Department staff and shall, together with all written documentation to be presented at the hearing, be delivered to each of the Commissioners not later than 4:00 p.m. on the second business day preceding the meeting day. Any matter coming before the Commission not in compliance with this rule shall, upon request of any Commissioner, be deemed out of order and shall be continued to the next scheduled meeting.

Section 5.15. REQUIREMENT TO VOTE

Each member of the Commission present at a meeting must vote for or against a particular question, unless excused from voting by a motion adopted by a majority of the members present.

Section 5.16 SUBMISSION OF WRITTEN MATERIAL

All written material to be considered by the Commission in support of an agenda item shall be submitted to the Assistant Secretary no later than the fourth (4th) business day preceding the Commission meeting for which the item is calendared. An original and such additional copies as required by the Assistant Secretary shall be provided.

RULE 6

SEPARATION HEARINGS AND PROCEDURES EXCLUDING DISCIPLINARY ACTION AGAINST STRIKING EMPLOYEES UNDER CHARTER SECTION 8.346.

Section 6.01. RULES OF PROCEDURE GOVERNING SEPARATION HEARINGS

A. Procedures governing the following employees:

1. Temporary
2. Limited Tenure
3. Probationary Entrance
4. Probationary Promotive
5. Dismissal of Permanent

B. A notice of termination on the form prescribed by the General Manager, Personnel, from the appointing officer to the employee detailing the specific reason(s) for the termination, shall serve as official notice of such termination. The notice of termination shall be sent by certified mail or personally delivered. Copies of the termination form must be filed in the Civil Service Department. The termination must be approved in accordance with Section 3.501 of the Charter.

C. The notice of termination must include the following information:

1. The employee has the right to:

   a. A hearing before the Civil Service Commission provided that a request for inquiry is made in writing and is received in the Commission office within twenty (20) calendar days from the date of termination of appointment or from the date of mailing of the Notice of Termination whichever is later. In the event the twentieth (20th) day falls on a non-business day, the deadline shall be extended to the close of business of the first business day following the twentieth (20th) day. The decision of the Civil Service Commission may affect any future employment with the City and County of San Francisco.

   b. Representation by an attorney or authorized representative of the employee's choice at the inquiry.

   c. Notification of date, time and place of inquiry a reasonable time in advance.

   d. Inspection by the employee's attorney or authorized representative of those records and materials in the Civil Service Commission Office which relate to the termination.

2. Any interested party may request a continuance of the inquiry.

3. The stated reason(s) for the termination must be enumerated. Records of warnings, reprimands and previous suspensions, if applicable to the reasons for termination, must be attached to the termination form.

4. To the extent practicable, the departmental representative who has the most complete personal knowledge of the facts which constitute the basis for the termination shall appear when the matter is to be considered by the Commission. The matter will be heard in accordance with Rule 5, Section 5.13. Interested parties may record the inquiry if they provide the necessary equipment.

Section 6.02. PROCEDURE FOR TERMINATION OF TEMPORARY EMPLOYEE

A. A temporary employee may be terminated for cause by an appointing officer at any time. The notification and hearing procedure shall be in accordance with the provisions of Rule 6, Section 6.01.

B. The Commission shall take one or more of the following actions:

1. Declare the person dismissed from the service and remove the name of the person from the eligible list.

2. Order the name of the person removed from any other list or lists on which the person has eligibility.

3. Restrict future employment as it deems appropriate.

4. Return the name of the person to the eligible list from which appointed without restriction or under such conditions for further appointment as it deems appropriate. If the list from which the terminated employee was appointed has expired, the name of the employee may be placed on a reemployment register for the class for an additional period of eligibility of twelve (12) months under such conditions for further appointment as the Commission deems appropriate.

Section 6.03. PROCEDURE FOR TERMINATION OF LIMITED TENURE EMPLOYEE

A. A limited tenure employee may be terminated for good cause by an appointing officer at any time with the approval of the Commission. The notification and hearing procedure shall be in accordance with the provisions of Rule 6, Section 6.01.

B. The Commission shall take one or more of the following actions:

1. Approve the termination and declare the person dismissed from the service.

2. Order the name of the person removed from any regular eligible list or lists on which the person may have standing.

3. Restrict future employment as it deems appropriate.

4. Disapprove the termination and reinstate the person to the department.

Section 6.04. PROCEDURE FOR TERMINATION OF ENTRANCE PROBATIONARY EMPLOYEE.

A. An entrance probationary employee may be terminated by the appointing officer at any time during the probationary period upon written notice of such termination to the employee and to the Civil Service Commission specifying the reasons for such termination. The notification and hearing procedures shall be in accordance with Section 8.340 of the Charter and with the provisions of Rule 6, Section 6.01.

B. The Commission shall take one or more of the following actions:

1. May declare such person dismissed, or return the name to the eligible list from which appointed under such conditions for further appointment it deems appropriate, provided that certification to the same position and same immediate supervisor will not be made if the termination was for disciplinary reasons. If the list from which the terminated employee was appointed has expired, the name of the employee may be placed on a reemployment register for the class for an additional period of eligibility of twelve (12) months under such conditions for further appointment as the Commission deems appropriate.

2. Order the name of the person removed from any regular eligible list or lists on which the person may have standing.

3. Restrict future employment as it deems appropriate.

C. Probationary appointees in the entrance uniformed rank of the San Francisco Police Department charged with breach of duty or misconduct shall be afforded the procedural rights set forth in Charter Section 8.343 for such charges.

Section 6.05. PROCEDURE FOR TERMINATION OF PROMOTIVE PROBATIONARY EMPLOYEE.

A. A promotive probationary employee may be terminated by the appointing officer at any time during the probationary period upon written notice of such termination to the employee and to the Civil Service Commission specifying the reasons for such termination. The termination shall be in accordance with Section 8.340 of the Charter and applicable procedure in Rule 6, Section 6.01.

B. The employee shall have the right of appeal and hearing before the Commission. Notice of appeal shall be filed in writing in the Civil Service Commission Office within twenty (20) calendar days as provided elsewhere in this Rule. The Commission will announce the time and place of hearing which shall be as soon thereafter as convenient to all parties.

C. The Commission shall render its decision within thirty (30) days after receipt of the notice of termination, and

1. may direct such person dismissed, or

2. declare such person reinstated in the position and may order that the employee be paid salary from the time of the termination of appointment, or

3. order the return of such person to a position in the class from which promoted and may re-establish the employee's eligibility to a list of eligibles for the promotive class under such conditions as the Commission may deem just. If the list from which the terminated employee was appointed has expired, the name of the employee may be placed on a reemployment register for the class for an additional period of eligibility of twelve (12) months under such conditions for further appointment as the Commission deems appropriate.

4. The decision of the Commission shall be final and shall not be reconsidered.

D. Employees returned by action of the Commission to a position in the class from which promoted shall not be required to serve a new probationary period unless otherwise ordered by the Commission.

E. Pending final decision, the appointing officer in the present or any other department has the option to restore the employee to duty in a position in the class from which promoted.

Section 6.06. PROCEDURE FOR DISMISSAL OF REGULAR PERMANENT EMPLOYEE EXCEPT MEMBERS OF THE UNIFORMED RANKS OF THE POLICE AND FIRE DEPARTMENTS

A. Discharge of Permanent Employee

A permanent employee who has completed the probationary period may be discharged for cause upon written charges and after having an opportunity to be heard in her/his own defense.

B. Notification of Time and Place of Hearing

When the charges are made, the appointing officer shall notify the person in writing of the time and place where the charges will be heard by mailing such statement via certified mail to the employee's last known address. Such hearing shall not be held within five (5) working days of the date on which the notice is mailed. The employee may be represented by counsel or other representatives of the employee's choice.

C. Hearing Officer - Sources

The hearing itself, as required by Charter, shall be conducted by a hearing officer under contract to the appointing officer chosen as follows in each case:

1. From organizations such as the American Arbitration Association or the State Conciliation Service which customarily provide hearing officers, OR

2. From a list of qualified hearing officers certified by the Civil Service Commission, such list to be kept current and to contain at all times at least three (3) names.

D. Hearing Officer - Method of Selection

The Civil Service Commission shall certify its list of hearing officers by the following method:

1. The Commission shall cause to be published in a newspaper of general circulation an announcement of openings for hearing officers. This announcement shall run either for a period of five (5) working days or for two (2) weekends at the discretion of the Commission.

2. The Commission shall include in its list only such applicants as to satisfy the following criteria:

a. Have at least one (1) year of experience in the conduct of judicial hearings in the capacity of a hearing officer.

b. Have experience in the resolution of disputes involving the interpretation of labor-management contracts.

3. The Civil Service Commission shall post the list of panel members so selected for a period of five (5) working days during which time employees, public employee organizations or city departments may seek to demonstrate in writing that any member of the panel is unacceptable. The General Manager, Personnel, shall review such challenges and shall determine whether on the basis of the challenge the individual should be eliminated from the approved list.

E. Hearing Officer - Challenge of Employee

The employee may challenge the competence of the hearing officer who is scheduled to hear the employee's case on the basis that the officer is in some demonstrable manner biased or prejudiced against the employee and that, therefore, the employee will not be afforded a fair hearing. The challenge must be made in the following manner:

1. The challenge must be by written affidavit;

2. The challenge must be received by the appointing officer at least twenty-four (24) hours prior to the commencement of the hearing;

3. Should the challenge cause the department to incur expense through the cancellation of the hearing officer, shorthand reporter, etc., such expenses shall be borne by the employee in keeping with the section on costs below. If the employee has been placed on suspension pending the hearing, any delay in the hearing occasioned through challenge or replacement of a hearing officer shall be considered a delay of the hearing by act of the accused employee and shall extend indefinitely the thirty-day period referred to in Charter Section 8.341.

In the event that the appointing officer shall determine that the hearing officer cannot afford the employee a fair hearing, the appointing officer shall immediately make arrangements to obtain the services of another hearing officer in accordance with the methods stated above.

F. Hearing Officer - Evidence to be Considered

The hearing officer shall decide the case on the basis of the evidence presented. The hearing officer shall determine whether the accused employee has adhered to the applicable orders, rules, regulations, ordinances, charter provisions, or applicable sections of any Memoranda of Agreement or Memoranda of Understanding. The hearing officer shall be prohibited from considering the relative merits or social desirability of such orders, rules, regulations, ordinances, charter provisions or sections of Memoranda of Agreement or Memoranda of Understanding as may be applicable to the case.

G. Hearing Officer - Decision

Within five (5) working days of the close of the hearing, unless specifically exempted for good cause by the appointing officer, the hearing officer shall notify the appointing officer in writing of a decision in the case. The hearing officer shall be limited to the following options in deciding the case:

1. The hearing officer may exonerate the employee in which case the record may, at the discretion of the hearing officer, be expunged and the employee may receive back pay for all time lost.

2. The hearing officer may find the employee guilty as charged, in which case the following three provisions apply:

a. The hearing officer may order the employee returned to work but without back pay for any time not worked between the time charges were made and the time of the hearing or the time the hearing officer renders a decision, whichever is longer.

b. The hearing officer may suspend the employee without pay but may not at her/his discretion, order back pay for any periods not worked prior to the hearing.

c. The hearing officer may dismiss the employee.

H. Notification of Decision of Hearing Officer

Within five (5) working days after the appointing officer receives written notification of the decision of the hearing officer, the appointing officer shall inform the employee in writing of the decision of the hearing officer and shall, by copies of this correspondence and the written notification from the hearing officer, inform the Civil Service Commission of the decision and the action taken.

I. Costs

The department bringing charges against an employee shall pay all fees for hearing officers and court reporters, and, if required, the cost of preparation of the transcript with the following exception:

If additional costs are incurred as a result of any request of the employee (such as costs occasioned by the untimely postponement of a hearing, challenges of hearing officer, etc.), all such additional costs, such as cancellation fees or fees when court reporters cannot be notified of the cancellation of a hearing within their established and customary limits, shall be borne by the employee.

Section 6.07. PROCEDURE FOR HEARING ON CHARGES AGAINST AN EMPLOYEE WHEN THE APPOINTING OFFICER NEGLECTS OR REFUSES TO ACT

When the appointing officer neglects or refuses to act pertaining to the removal of any employee subject to the civil service provisions of the Charter, the Commission may hear and determine any charge filed by a citizen, or by any member of or by an authorized agent of the Commission. In rendering its decision, the Commission shall determine the charges and may exonerate, suspend or dismiss the accused employee in accordance with the provisions of Section 8.341 of the Charter.

The appointing officer or the departmental representative shall appear when the matter is to be considered. The matter will be heard in accordance with Rule 5, Section 5.13 - Order of Presentation.

Section 6.08. ELIGIBILITY STATUS PENDING COMMISSION ACTION ON TERMINATION OR DISMISSAL

Except as otherwise ordered by the General Manager, Personnel, pending action of the Commission on termination of any appointment or upon preferral of charges for dismissal, the name of the appointee shall be placed under waiver for all appointment(s) on any eligible list on which the person has standing and shall be otherwise ineligible for any employment in the City and County Service.

Section 6.09. EFFECT OF COMMISSION APPROVAL OF TERMINATION OR DISMISSAL

Unless specifically ordered otherwise by the Commission, approval of termination or dismissal shall result in the cancellation of all current examination and eligibility status, and all future applications will require the approval of the General Manager, Personnel, after completion of one year's satisfactory work experience outside the City and County service and the person shall be ineligible for future employment with the department from which separated.

Section 6.10. EFFECT OF FAILURE TO REQUEST COMMISSION REVIEW OF TERMINATION OR DISMISSAL

A. Failure to request a Commission review within the twenty (20) day period as provided elsewhere within this Rule shall result in the following actions:

1. The adoption of the departmental recommendation as approved by the General Manager, Personnel; or,

2. The following:

a. Approval of the separation, if such action is appropriate.

b. Dismissal from the City and County Service.

c. The cancellation of all current examination and eligibility status.

d. All future applications shall be subject to the review and approval of the General Manager, Personnel, after satisfactory completion of one year's work experience outside the City and County Service.

e. The separated employee may not be employed with the same department in the future.

B. This action shall be final and shall not be subject to reconsideration unless the person can present evidence in writing of being unable to communicate with the Commission within thirty (30) calendar days of being able to so communicate. All requests for reconsideration shall be in writing and shall be processed in accordance with the procedure for reconsideration outlined in Rule 5.

C. The provisions of this section as adopted on June 1, 1987 shall affect all terminations or dismissals effective on or after July 1, 1987.

RULE 6A

DISMISSAL DURING PROBATION PERIOD

Incorporating Charter Section 8.340 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 6A.01 REQUIREMENT FOR PROBATIONARY PERIOD

Any person appointed to a permanent position shall serve a probationary period.

Section 6A.02 DURATION OF PROBATIONARY PERIOD

(a) The civil service commission shall by rule establish a probationary period of not less than six months' service and up to a maximum of 12 months' service for each classification,

(b) provided that the probationary period for entrance positions in the uniformed rank of the police department, fire department, and San Francisco International Airport police force shall be for 12 months except that, with respect to members of the uniformed ranks of the police department, the probationary period shall be completed after 12 months' service from the day following completion of the prescribed department field training officer program, but in no case to exceed 84 weeks from the date of appointment;

(c) provided further that probationary members of the uniformed ranks of the police department charged with breach of duty or misconduct shall be afforded the procedural rights set forth in [Charter] Section 8.343 for such charges.

(d) With respect to members of the uniformed ranks of the sheriff's department the probationary period shall be completed 18 months after the date of hire.

Section 6A.03 PROBATIONARY PERIOD FOR EXECUTIVE AND MANAGEMENT CLASSES

Probationary periods of 12 months and up to a maximum of 24 months may be established for executive and management classifications.

Section 6A.04 TERMINATION DURING THE PROBATIONARY PERIOD

(a) Procedure for Termination

At any time during the probationary period the appointing officer may terminate the appointment upon given written notice of such termination to the employee and to the civil service commission specifying the reasons for such termination.

(b) Requirement for Commission Review

Except in the case of members of the uniformed ranks of the police and fire departments the civil service commission shall review the termination. The civil service commission shall by rule establish the procedures for such review.

(c) Termination of Entrance Probationary Period

If the appointment resulted from an entrance examination the commission may declare such person dismissed or may return the name to the list of eligibles under such conditions for further appointment as the commission may deem just.

(d) Termination of Promotive Probationary Period

If the appointment resulted from a promotional examination the employee shall have the right of appeal and hearing before the civil service commission. The commission shall render a decision within 30 days after receipt of the notice of termination and

(i) may declare such person dismissed; or

(ii) order such person reinstated to the position without prejudice, and the commission may in its discretion order that the employee be paid salary from the time of the termination of the appointment; or

(iii) order the return of such person to a position in the classification from which that person was promoted and may reestablish the employee's eligibility to a list of eligibles for the same promotive classification under such conditions as the commission may deem just.

(e) Finality of Commission's Decision

The decision of the Commission shall be final.

Section 6A.05 CERTIFICATION OF PROBATIONARY APPOINTEE'S COMPETENCY

Immediately prior to the expiration of the probationary period the appointing officer shall report to the civil service commission as to the competence of the probationer for the position, and if competent, shall recommend permanent appointment.

Section 6A.06 COMMISSION AUTHORITY TO REVIEW ALL PROBATIONARY TERMINATIONS

Nothing in this [Rule] shall preclude the civil service commission from reviewing terminations for the purpose of future employability including terminations in the uniformed ranks of the police and fire departments.

RULE 7

CLASSIFICATION

Section 7.01. CLASSIFICATION OF POSITIONS

A. Each position in the classified service shall be classified by the Commission and allocated to the appropriate class in accordance with the character, difficulty, and responsibility of the assigned duties.

B. Positions shall be allocated to the same classes when their duties are sufficiently similar that:

1. the same descriptive title may be used to designate each position in the class;

2. the same level of education, experience, knowledge, ability, and other qualifications may be required of incumbents;

3. similar tests of fitness may be used to select incumbents; or

4. the same schedule of compensation will apply with equity under substantially the same conditions.

Section 7.02. CLASS SERIES AND SERVICE

All classes involving the same kind of work, but differing as to level of difficulty and responsibility, shall be assembled into the same series. All series within the same broad occupational field shall be assembled into the same service.

Section 7.03. CLASS SPECIFICATION

A. The class specification shall be the official record of the Position Classification Plan. The specifications, in addition to defining the duties and characteristics of the class, shall give examples of the more significant and typical duties assigned to positions in the class, the minimum requirements for applicants for positions in the class, and any other special requirements.

B. The class specifications shall be descriptive of the class and shall not be considered as a restriction on the assignment of duties not specifically listed. They are intended to indicate the kind of positions that should be allocated to the several classifications and shall not be construed as describing what the exact duties and responsibilities of each individual position allocated to the class shall be. The appointing officer has the authority to assign an employee to perform work provided that it is consistent with the kind of duties and level of responsibility of the employee's classification, although the work may not be specifically described in the class specification.

Section 7.04. OFFICIAL COPY

The General Manager, Personnel, shall maintain an accurate and completed copy of the Position Classification Plan to be designated as the "Official Copy." All changes in allocation or reallocation of positions to classes or amendment of classifications shall be recorded in the official minutes of the Commission. The "Official Copy" of the Position Classification Plan shall be open to public inspection.

Section 7.05. ADMINISTRATION OF THE CLASSIFICATION PLAN

A. The General Manager, Personnel, shall make position classification studies of individual positions or groups of positions whenever the General Manager, Personnel, deems it necessary, whenever the duties or responsibilities have undergone significant changes, or whenever new positions are to be created.

B. Upon request of the General Manager, Personnel, the appointing officer shall furnish detailed information relative to the duties and responsibilities or work assignments of positions under the appointing officer's jurisdiction. The appointing authority shall notify the Civil Service Department promptly of significant changes in duties, responsibilities, or work assignments of positions under his or her jurisdiction.

Section 7.06. AMENDMENT TO CLASSIFICATIONS

Amendments to the Classification Plan or changes in allocation or reallocation of positions to classifications may be made at any meeting of the Commission. All requests for such changes shall be posted on the Bulletin Board of the Commission for a period of at least one (1) week before such requests shall be acted upon by the Commission.

Section 7.07. REVIEWS AND APPEALS

Any employee, representative, or appointing authority affected by any classification action may request the Commission to review such action. The request for review shall be in accordance with the provisions for a request for reconsideration under Rule 5, Section 5.07.

Section 7.08. EFFECT OF CLASSIFICATION CHANGES ON INCUMBENT

A. The allocation or reallocation of a position shall not adversely affect the rights of an occupant legally holding such a position under permanent appointment. When a position is to be reallocated from one class to a higher or lower class, or from one series to another series, such reallocation shall be effected when the position becomes vacant by reassignment or from other reason(s). Pending such reallocation, the incumbent shall continue in the position.

B. An employee who gains eligibility in the class to which the position is to be allocated may receive an appointment thereto in accordance with the rules governing appointments.

C. Whenever the title of the class changes without a change in duties or responsibilities, the incumbent shall have the same status in the new classes in the old class.

RULE 8

APPLICATIONS AND NOTICE OF EXAMINATIONS

Section 8.01. QUALIFICATIONS OF APPLICANTS

A. Every applicant for entrance or promotional examination must possess and maintain the qualifications required by law and by the announcement of the examination for which applied. Experience gained in violation of a Commission Rule will not be recognized. It is the responsibility of the appointing officer and of the employee to have experience outside of classification recorded in accordance with Rule 26, Section 26.01(H).

B. Except with permission of the General Manager, Personnel, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class. No employee may participate in an examination for a class in which the employee has current permanent appointment status except with the approval of the General Manager, Personnel.

Section 8.02. TIME FOR FILING

An applicant is a person who has filed an application for examination within the time limits specified in the announcement of the examination for which the applicant applied. Verification shall be the official time receipt of the Civil Service Department or postmark. Examination announcements shall not be distributed after the end of the filing period.

Section 8.03. NOTICE OF EXAMINATIONS

Official notice of examinations will be posted on the Bulletin Board of the Commission. Notice of promotional examinations will be posted for a minimum period of ten (10) calendar days as required by the Charter. Requests(s) for notice of filing dates for entrance examinations may be filed in the Civil Service Department. Notification cards shall be mailed at the inquirer's risk.

Section 8.04. ADDITIONAL NOTICE OF PROMOTIONAL EXAMINATIONS

Notices of promotional examinations shall be distributed to the appropriate departments. Appointing officers shall employ any method of distribution to insure that employees are properly notified.

Section 8.05. APPLICATION CUSTODY

Applications and supporting documents become the property of the Commission when received. Return of such documents shall require the approval of the General Manager, Personnel.

Section 8.06. FALSE STATEMENTS BY APPLICANTS

Significant false statements, whether intentional or unintentional, made or permitted by any applicant on the application or in the qualifications appraisal interview shall be good cause for the exclusion by the Commission of such person from any examination, the removal of the applicant's name from the eligible list and may be good cause for removal or discharge from the City and County service.

Section 8.07. NAMES NOT TO BE MADE PUBLIC

The names of applicants for any examination shall not be made public prior to announcement of the results of the examination. Names of participants who fail in any examination shall not be made public.

Section 8.08. CHANGE OF ADDRESS

In all cases of change of address, the Civil Service Department must be notified in writing separately for each class involved. Notice of change of address to the post office and/or the employess's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

Section 8.09. CORRECTION OF EXAMINATION ANNOUNCEMENTS

Examination announcements may be corrected with respect to clerical errors, misprints and incorrect wording by the General Manager, Personnel, by posting notice of such corrections next to the original announcement on the Bulletin Board of the Commission. The issuance of examination announcements corrected under the provisions of this section shall not allow additional time for protest or appeal of the substantive provisions contained in the original announcement.

RULE 8A

QUALIFICATIONS OF APPLICANTS

Incorporating Charter Section 8.320 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 8A.01 APPLICATION FOR EXAMINATION

Any person having the qualifications prescribed by Section 8.100 of [the] charter may submit himself or herself for any examination under conditions established by the civil service commission.

Section 8A.02 APPLICANTS FOR ENTRANCE POSITIONS-UNIFORMED FORCE OF FIRE DEPARTMENT

Applicants for entrance positions in the uniformed force of the fire department shall not be less than 19 years of age at the time of taking the examination, nor less than 20 years of age at the time of appointment.

Section 8A.03 APPLICATION FOR ENTRANCE POSITION-UNIFORMED FORCE OF POLICE DEPARTMENT

Applicants for entrance positions in the uniformed force of the police department shall not be less than 20 years of age at the time of taking the examination, nor less than 21 years of age at the time of appointment.

Section 8A.04 RECRUITMENT OF CANDIDATES

The commission shall advertise and may take further appropriate means to interest suitable applicants.

Section 8A.05 NOTICE OF PROMOTIONAL EXAMINATIONS

When examinations for promotion are to be held, the commission shall give notice thereof to all persons in positions entitling them under the civil service rules, to participate in such examination, by posting information thereof in the office of the commission for a period of 10 days and notifying the office, agency, or department concerned.

RULE 9

EXAMINATIONS

Section 9.01. CHARTER AUTHORITY

The examination program shall be in accordance with the provisions of the Charter. The General Manager, Personnel, shall rule on all matters concerning the examination program pursuant to Rule 3, Section 3.04.

Section 9.02. ANNOUNCEMENT

The examination announcement shall provide the qualifications, dates, duration of eligible lists and other particulars regarding the examinations thereon announced. Applicants must be guided solely by the announcement of the examination(s) for which they apply.

Section 9.03. PROTESTS OF EXAMINATION ANNOUNCEMENTS

Appeals concerning the provisions of an announcement must be received by the Civil Service Department within seven (7) business days from the issuance date. The General Manager, Personnel, will rule upon appeals and notify petitioners in writing. This decision is subject to appeal to the Commission under Rule 5, Section 5.06.

Section 9.04. REISSUANCE OF EXAMINATION ANNOUNCEMENTS

After considering appeals submitted under Section 9.03, the General Manager, Personnel, may reissue the announcement. When reissued an examination announcement is not open to the appeal procedure.

Section 9.05. OFFICIAL TIME PERIODS

Examination announcements shall set forth time limits for determination of the qualifications of applicants.

Section 9.06. PROMOTIONAL APPLICANTS

A. Promotional Applicants Except for Members of the Uniformed Ranks of the Police and Fire Departments

1. Applicants for promotional examinations shall meet the requirements of the examination announcement under which they apply and be eligible to participate in examinations on a promotive basis as defined by this rule.

2. The following employees who are otherwise qualified are entitled to participate in examinations on a promotive basis if they meet the service requirements specified below:

a. Employees with permanent status who have completed the probationary period;

b. Employees with permanent civil service, probationary or certified temporary status currently on authorized leave of absence;

c. Employees with holdover rights;

d. Employees serving a probationary period in a different class but who were last employed in a next lower rank class as a certified temporary, probationary or permanent employee past the probationary period;

e. Appointees from a regular adopted eligible list to a non-permanent position other than a "near list" appointment;

f. Employees serving a probationary period.

3. All employees entitled to participate in promotive examinations as outlined above shall meet the following requirements

a. A period of six months of service in the class or for the period provided in the examination announcement in any status; AND

b. Certification by the appointing officer(s) of satisfactory job performance for the period of the required service on the forms and in the manner prescribed by the General Manager, Personnel.

B. Promotional Applicants in the Uniformed Ranks of the Police and Fire Departments.

Promotional applicants in the uniformed ranks of the Police and Fire Departments are governed by the provisions of Charter Section 8.327.

Section 9.07. MEANS OF IDENTIFICATION

A. The General Manager, Personnel, shall determine the method of candidate identification to be used in written and performance examinations.

B. When the sealed identification method is used, candidates are prohibited from making identifying marks on their examination papers. The examination papers of a candidate who makes identifying marks may be cancelled. Sealed identification sheets of successful candidates may not be opened until all ratings and the passing mark are final.

C. Where a number of candidates have competed in two or more examinations in a series and at least one candidate has passed one and failed one of the examinations, the identification sheets of the candidates who have failed one examination may be opened prior to the qualifications appraisal interview but only for the purpose of determining which candidates should participate in the qualifications appraisal interview. Under no circumstance may the score on the examination passed be divulged by the Civil Service Department prior to the posting of the tentative eligible list.

Section 9.08. UNAUTHORIZED MATERIAL

Any applicant cheating or attempting to cheat in any phase of the examination process shall be eliminated from the examination and thereafter may be ineligible for future employment. Cheating shall include the use or attempted use of material not authorized by the notice to report for examination.

Section 9.09. COPYING OF EXAMINATION QUESTIONS

The copying of examination questions or the making of notes or outlines regarding an examination is prohibited.

Section 9.10. RATING KEYS

A. The examination booklet in examinations not exempted from inspection privileges shall provide the time period wherein participants in an examination may review the rating key to be used for scoring. Participants in an examination shall be allowed only one review of the rating key unless otherwise ordered by the General Manager, Personnel. No changes in the rating key shall be made after the identification sheets of any participants have been opened.

B. Inspection of the rating key is for the purpose of correcting errors in the key or determining if any of the questions asked are ambiguous or incorrectly phrased. Protests concerning the rating key must be filled out in the inspection room on forms supplied by the Commission. Petitions must include substantiating data or authoritative references. If any protests have been filed, an additional period for review of protests and submission of counter-protests will be provided.

Section 9.11. RATING KEYS - CONTINUOUS EXAMINATIONS

A. Inspection privileges shall not apply to questions and answers on any continuous or standardized entrance or concurrent entrance and promotive written examination. This includes examinations under the continuous testing program.

B. The General Manager, Personnel, may order obsolete or erroneous questions deleted from any examination exempted by this rule from inspection privileges.

Section 9.12. INSPECTION OF RATING KEYS BY REVIEW COMMITTEE

A. Notwithstanding any other provision of these Rules, the examination announcement may provide for review of questions and answers thereto by a review committee in those examinations wherein large numbers of protests on key answers might be anticipated on the basis of past experience, or where there is an immediate need for appointees in the class involved. Such review committee shall be composed of three (3) or more persons expert in the field of subject matter covered by the examination. For examinations in the uniformed ranks of the Police and Fire Departments or other uniformed forces, the members of the Committee shall be appointed by the General Manager, Personnel, from among a panel of five (5) officers submitted by the appointing officer of the concerned department and shall hold rank not less than that of the class for which the examination is being held.

B. The review of the rating key shall begin simultaneously with the holding of the examination and shall be completed in one session. The recommendations of the review committee with respect to questions or answers which they believe to be ambiguous, incorrect, or improper shall be submitted to the General Manager, Personnel, for approval. Such rating key when approved by the General Manager, Personnel, shall be made available for review by participants in the examination for a period of two (2) days. The time allowed for such review may be extended if in the judgment of the General Manager, Personnel, the number of applicants warrants. The participants may appeal to the Commission concerning only those questions or answers wherein documented claim of significant error is made. If any appeals have been filed, an additional period for submission of counter-arguments will be provided. If no appeals are submitted, the approved rating key shall be the official rating key to be used for scoring the examination.

Section 9.13. EXAMINATION PASSING MARK

A. For each examination, the General Manager, Personnel, shall establish a passing mark or shall determine the total number of persons to be included on the list of eligibles based on the needs of the service.

B. No changes in the passing mark shall be made after the identification sheets have been opened.

Section 9.14. INSPECTION OF PAPERS BY UNSUCCESSFUL CANDIDATES

Where there are remaining parts of an examination, and where the examination is not exempted from inspection under Section 9.11, unsuccessful candidates may inspect their papers during a two (2) day period specified by the notice informing them of their scores. Such inspection shall be for the sole purpose of determining that the scoring has been accurate.

Section 9.15. VETERANS' PREFERENCE IN EXAMINATIONS

A. Veterans' preference in examinations completed on or after July 7, 1976, shall be administered in accordance with Section 8.324 of the Charter.

B. The following definitions apply to the administration of this section:

1. Completion date of an examination: The date the eligible list is adopted or on which all competitive parts of the examination have been administered and the passing mark set.

2. Time for filing claim: Applicants must claim preference on the original application form or pre-application form, whichever is filed first. All such claims or withdrawals of claims must be made prior to participation in the first part of the test to be administered.

3. First entitlement to claim preference: The date upon which the applicant was first separated from active duty service, including separations for re-enlistment purposes, and such service would have qualified the applicant to claim preference under the then-current requirements.

Section 9.16. QUALIFICATIONS APPRAISAL INTERVIEW - PROCEDURES AND APPEALS

A. Procedures and Practices

1. The orientation of the qualifications appraisal board may include a presentation by the department head or departmental representative which includes a description of the class for which the examination is being held, the setting of the class in the department, the critical elements of personal characteristics needed by employees in this class, and related information. The department head or representative shall not discuss any candidate with any member or members of the qualifications appraisal board at this time or any other time prior to the completion of the examination.

2. No fraternal rings, organization pins or insignia of any kind shall be displayed by the board members in any qualifications appraisal interview nor shall such rings, pins, or insignia be worn by any candidate who appears before such a board.

3. No board member shall rate a candidate who is related to that person or rate a candidate if any strong personal association exists between that candidate and the board member so that it would be difficult to make an impartial rating.

4. No candidate shall discuss her/his candidacy or any relationship thereto with the qualifications appraisal board members prior to the completion of all parts of the examination(s) and the final adoption of the list(s) of eligibles resulting therefrom.

5. No letters of reference or recommendation shall be presented to the qualifications appraisal board.

6. The board may consider relevant documents such as specified in examination announcements.

7. In all qualifications appraisal interviews, the same standards shall apply to all candidates who appear for the same class.

8. The minimum passing or qualifying rating must be related to a class, not to a single position within a multiple position class.

9. No applicant for public employment shall be questioned as to political views, religious beliefs, labor affiliations, or racial extraction.

10. Recordings of qualifications appraisal interviews shall be retained only until all ratings become final and any timely litigation based thereon has been resolved. A defective recording shall not invalidate the interview unless the Commission finds the omitted or unintelligible material critically relevant to the case, in which event the Commission may authorize a second interview or order a new examination.

11. In the event of any challenge of an examiner or of any ratings in qualifications appraisal interviews, all other candidates whose standing in the examination may be affected, shall be notified of the challenge.

B. Challenge of Board Members

1. A board member may excuse herself or himself from rating any candidate when in the judgment of the board member it would be difficult to rate the candidate impartially. If possible, the excused board member shall be replaced by an alternate with the same qualifications.

2. Any challenge as to personal bias or competence of a person serving as an examiner in a qualifications appraisal interview based upon prior knowledge of or acquaintance with a board member shall be made by a candidate to the representative of the Examination Unit or authorized representative immediately prior to participation in this phase of the examination. The candidate shall then proceed with the interview. If such challenge is sustained by action of the Commission following denial by the General Manager, Personnel, the rating by the challenged person shall not be computed in the final rating of the candidate and the rating of the candidate shall be that of the unchallenged members of the examining board. If more than one-half (1/2) of the board members are successfully challenged, then the Commission shall cancel this session and a new board shall be constituted, unless more than one panel of examiners has been convened for the examination, in which case the candidate shall be examined by an alternate panel of equal number.

3. Any appeal or challenge of the conduct of the qualifications appraisal board based on a claim of bias, malfeasance, or misfeasance of board members must be made in writing and presented to the representative of the Examination Unit not later than the second (2) business day on which the qualifications appraisal interview was held. Challenges based on bias, malfeasance, or misfeasance not filed in this two-day period cannot be considered. Such challenges must state the grounds upon which the challenge is based. Failure to state the specific grounds for the challenge shall nullify the challenge. All challenges properly filed under this section shall be resolved in accordance with the provisions of Rule 5, Section 5.06 of these Rules before the identification sheets of those admitted to the oral examination are opened and scores of the participants are known.

4. The Commission, in acting on a challenge or appeal of the conduct of the qualification appraisal board, shall consider only the applications, records, questions and answers which constitute the record of the qualifications appraisal interview. It will sustain protests only when the candidate presents evidence that clearly substantiates a charge of bias, malfeasance or misfeasance.

5. The decision of the Commisson on this subject will be final.

6. In the absence of a challenge under this section or upon a decision by the Commission under this section, later challenges shall be precluded.

C. Inspection of Ratings in Qualifications Appraisal Interviews by Participants

1. After the qualifications appraisal interviews for an examination are computed, such composite ratings shall be available for a minimum period of two (2) working days following the completion of the computations for all participants or for some other two (2) day period set by the General Manager, Personnel, provided that the candidates are advised of the dates, during which period each participant may inspect their own ratings. The identity of the examiner giving any mark or grade in an qualification appraisal interview shall not be disclosed.

2. Any challenges shall be filed in writing within the inspection period and shall be limited to:

a. claimed inconsistencies or failure of the qualifications appraisal board to apply uniform standards;

b. any questions propounded by the panel of examiners which occur during a qualifications appraisal interview which require an answer in conflict with any federal, state, or city and county laws, rules or regulations which apply to the government of the City and County of San Francisco and/or the San Francisco Civil Service Commission.

3. All challenges properly filed under this section shall be resolved in accordance with the provisions of Rule 5, Section 5.06 of these Rules. The Commission shall not consider challenges merely because candidates believe they are entitled to a higher score. The Commission will not substitute its judgment for the judgment of the qualifications appraisal interviewers. Ratings by a qualifications appraisal board of less than the minimum passing score shall not be raised to more than the minimum passing score.

4. No evidence or documents supportive of qualifications shall be presented to the Commission which were not presented to the qualifications appraisal board unless the candidate was denied the opportunity to do so.

5. The decision of the Commission on this subject will be final.

6. In the absence of a challenge under this section or upon a decision by the Commission under this section, later challenges shall be precluded.

Section 9.17. RATING SENIORITY, CLEAN RECORD AND MERITORIOUS PUBLIC SERVICE IN PROMOTIONAL EXAMINATIONS IN THE UNIFORMED RANKS OF THE FIRE AND POLICE DEPARTMENTS.

A. When such ratings are provided by Charter or examination announcement, ratings of seniority demerit (clean record) and merit (meritorious public service) in promotional examinations in the Fire and Police Departments shall be calculated as of the beginning date of examination in accordance with the following conditions:

1. An act of merit or demerit which has been rated in a promotional examination for a basic class shall not again be rated in a promotional examination for a basic class or an intermediate or specialized class which is promotional from the basic class in which such rating was made.

2. An act of merit or demerit which has been rated in a promotional examination in an intermediate or specialized class shall not again be rated in a promotional examination in an intermediate or specialized class.

3. An act of demerit shall be deemed expunged following ten years of service with a clean record.

4. In applying these schedules, the following are intermediate or specialized classes:

H4	Inspector, Bureau of Fire Prevention and Public Safety
H6	Investigator, Bureau of Fire Investigation
H22	Lieutenant, Bureau of Fire Prevention and Public Safety
H24	Lieutenant, Bureau of Fire Investigation
H32	Captain, Bureau of Fire Prevention and Public Safety
Q35	Assistant Inspector
Q63	Criminologist

5. In applying these schedules, the following are basic classes:

H20	Lieutenant, Fire Department
H30	Captain, Fire Department
H40	Battalion Chief, Fire Department
H50	Assistant Chief of Department, Fire Department
Q50	Sergeant
Q60	Lieutenant
Q80	Captain

6. Should a candidate participate in more than one promotional examination having the same beginning date, acts of merit and demerit shall be rated for all such examinations with the same beginning date as provided by the examination announcement.

B. Acts of merit shall not be rated in promotional examinations in the Fire Department. Acts of merit occurring after March 4, 1954, shall not be rated in promotional examinations in the Police Department.

C. In rating acts of demerit, the following schedules apply:

1. For promotional examinations in the police department:

   a. Suspension: One (1) point deduction for each work day suspended.

   b. Fines: One (1) point deduction for the equivalent of each working day's salary.

   c. Reprimand by Police Commission: One (1) point deduction for each reprimand.

   d. In applying the above schedules, one (1) week equals five (5) working days, two (2) weeks equals ten (10) working days, three (3) weeks equals fifteen (15) working days, one (1) month equals twenty-two (22) working days, two (2) months equals forty-four (44) working days, one-half (1/2) month equals eleven (11) working days. Fines will be converted to working days on the basis of actual base pay at the time of the fine.

2. For promotional examinations in the fire department:

   a. For five (5) day, forty (40) hours per week employment: Same as C.1 above.

   b. For watch employment: Two-thirds (2/3) point deduction for each calendar day of suspension.

Section 9.18. REQUIREMENT TO CONDUCT EXAMINATIONS

A. Except for reasons beyond the Commission's control, the Commission shall immediately commence to conduct an examination whenever a provisional or near-list appointment is made to a permanent position.

B. Except for reasons beyond the Commission's control, the Commission will make every attempt, on a priority basis, to commence to conduct examinations at least sixty (60) days prior to expiration of an eligible list where there is a demonstrated need for continuing appointments to such class.

C. Where possible, the General Manager, Personnel, or designee and bargaining representative shall meet in advance to determine which classes require eligible lists on a continuing basis.

RULE 9A

EXAMINATIONS OF APPLICANTS

Incorporating Charter Section 8.321 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 9A.01 REQUIREMENT FOR COMPETITIVE EXAMINATIONS

All applicants for places in the classified service shall submit to examinations which shall be competitive provided, however, that no examination shall be deemed to be competitive unless two or more persons shall participate, except that any such examination may be held for one qualified applicant on recommendation of the civil service commission and approval by resolution of the board of supervisors, after a finding by the board that reasonable publicity of the proposed examination has been given.

Section 9A.02 EXAMINATION WITHOUT CHARGE

Such examinations shall be without charge to the applicants.

Section 9A.03 EXAMINATION CONTROL AND EMPLOYMENT OF EXAMINERS

The commission shall control all examinations and may employ suitable persons in or out of the public service to act as examiners.

Section 9A.04 TYPE OF EXAMINATIONS

The examinations used shall measure the relative capacities of the persons examined to perform the functions, duties and responsibilities of the classification to which they seek appointment. Examinations shall consist of selection techniques which will test fairly the relative qualifications, merit and fitness of the applicants for the position to be filled. Examinations may include written tests to determine job-related aptitude, knowledge, or achievements and oral tests by qualifications appraisal boards.

Section 9A.05 RULES GOVERNING QUALIFICATION APPRAISAL BOARDS

The civil service commission shall establish rules governing the size and composition of qualification appraisal board. Qualification appraisal boards may consider, in the case of employees of the City and County of San Francisco, all prior performance evaluations completed on civil service forms and in the ease of all applicants may consider prior work experience, assessment center evaluations, and work samples as part of their evaluation of candidates for employment to any position.

Section 9A.06 APPRENTICESHIP POSITIONS

Appropriate rosters of eligibles established by a trade, craft or occupation joint apprenticeship committee recognized by the State of California Department of Industrial Relations, Division of Apprenticeship Standards, may be utilized to fill apprenticeship positions or as the basis for establishing apprenticeship eligibility list.

Section 9A.07 COMMISSION SOLE JUDGE OF ADEQUACY OF EXAMINATIONS

The commission shall be the sole judge of the adequacy of the tests to rate the capacity of the applicants to perform service for the city and county.

Section 9A.08 ESTABLISHMENT OF PASSING MARK AND NUMBER ON LIST

The commission may, for each examination, establish a passing mark or may determine the total number of persons who shall constitute the list of eligibles.

Section 9A.09 PREPARATION AND ORDER OF ELIGIBLE LIST

The Commission shall prepare from the returns of the examiners the list of eligibles, arranged in order of relative performance.

Section 9A.10 PROHIBITION OF POLITICAL, RELIGIOUS OR FRATERNAL QUESTIONS

No question submitted to applicants shall refer to political or religious opinions or fraternal affiliations.

RULE 9B

PROTEST OF WRITTEN QUESTIONS AND ANSWERS

Incorporating Charter Section 8.322 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 9B.01 REVIEW PERIOD BY PARTICIPANTS IN WRITTEN EXAMINATIONS

After the written portion of a civil service examination has been held, the questions used and the answers thereto shall be available for review by the participants.

Section 9B.02 EXCLUSION FROM REVIEW OF CONTINUOUS OR STANDARDIZED TESTS

This review period shall not apply to questions and answers on any continuous or standardized entrance of concurrent entrance and promotive written test.

Section 9B.03 OPPORTUNITY TO PROTEST QUESTIONS AND ANSWERS.

During the review period, participants shall have an opportunity to protest questions or answers they believe to be incorrect or improper.

Section 9B.04 CHANGES IN RATING KEY

After all protested items have been acted on and after the official rating key has been adopted and the identification sheets have been opened, further changes in the rating key shall not be made.

RULE 9C

VETERANS PREFERENCE IN EXAMINATIONS

Incorporating Charter Section 8.324 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 9C.01 REQUIREMENTS FOR ENTITLEMENT TO VETERANS PREFERENCE

Veterans with 30 days or more actual service, and widows or widowers of such veterans, who become eligible for appointment by attaining the passing mark in any entrance examination, shall be allowed an additional credit of five percent in making up the list of eligibles established by such examination.

Section 9C.02 DEFINITION OF VETERAN

The term "veteran" as used in this [Rule] shall be taken to mean any person who has been mustered into, or served in, or enlisted in the United States Army, the United States Navy, the United State Marine Corps, the United State Army Air Corps, the United States Air Force, or the United States Coast Guard, and served on active duty in said branch of the armed forces of the United States, not including reserve service, at any time for a period of 30 days or more in time of war and been separated from active duty and under conditions other than dishonorable and not resulting from courts martial, except no individual entering the armed forces on or after January 27, 1973, the date of the creation of the volunteer army, shall receive veterans preference in a civil service entrance examination for service of any type in the armed forces of the United States.

Section 9C.03 ENTITLEMENT AT TIME OF SEPARATION FROM ACTIVE DUTY

In addition, an individual qualifying for veterans preference as herein defined shall be deemed entitled thereto on his or her date of separation from active duty in the armed forces.

Section 9C.04 RESTRICTION ON ENTITLEMENT

No person so qualified shall be granted veterans preference unless he or she indicates qualification therefor on an examination application received by the civil service commission not later than 10 years from the date of his or her first entitlement thereto.

Section 9C.05 ENTITLEMENT EXHAUSTED UPON ACQUIRING PERMANENT APPOINTMENT

When an eligible has secured a permanent appointment from a list of eligibles derived from an entrance examination, in which he or she has been allowed additional credits of five percent as herein provided, and has served the full probationary period therein as provided in [these Rules], such other additional credits of five percent that have been allowed him or her on the list of eligibles derived from other entrance examinations shall be automatically cancelled, and his or her rank on such other list or lists revised to accord with his or her relative standing before such additional credits were added and he or she shall not be allowed such additional credits in any other examinations.

Section 9C.06 ADDITIONAL ENTITLEMENT FOR VETERANS WITH PERMANENT DISABILITY

The civil service commission may, for services or employment specified by the commission, allow general or individual preference, but not more than 10 percent, for entrance appointment of veterans who have suffered permanent disability in the line of duty, provided that such disability would not prevent the proper performance of the duties required under such service, or employment, and provided that such disability is of record in the United States Veterans' Administration.

Section 9C.07 DEFINITION OF TIME OF WAR

In the administration hereafter of the provisions of this [Rule], the expression "time of war" shall include the following periods of time:

(a) the period of time from the commencement of a war as shown by any declaration of war, of the Congress of the United States, or by any statute or resolution of Congress, a purpose of which is to declare in any manner the existence of a state of war, until the time of termination thereof by any truce, treaty of peace, cessation of hostilities, or otherwise;

(b) the period of time during which the United States is or has been engaged in active military operations against any foreign power, whether or not war has been formally declared;

(c) the period of time during which the United States is or has been assisting the United Nations or any nation or nations in accordance with existing treaty obligations, in active military operations against any foreign powers, whether or not war has been formally declared; and

(d) the period of time during which the United States is engaged in a campaign or expedition in which a medal has been authorized by the government of the United States; provided, however, that no person shall be eligible for the benefits provided for veterans in this [Rule] unless he shall have been eligible to receive such a medal.

RULE 9D

PROMOTIONAL EXAMINATIONS FOR EMPLOYEES ON MILITARY LEAVE

Incorporating Charter Section 8.328 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 9D.01 RIGHT TO PARTICIPATE IN SIMILAR PROMOTIONAL EXAMINATION

Employees under permanent civil service appointment who, because of absence of duly authorized military leave after June 27, 1950, did not participate in a promotional examination held after June 27, 1950, and during time of war as defined in Section 8.324 of [the] charter [now CSC Rule 9C], and in which examination the employee would have been otherwise eligible to compete had the war not intervened, and which examination is hereinafter referred to as the original promotional examination, shall after abridgment of military leave, have the right to participate in a similar promotional examination.

Section 9D.02 STATUS OF ELIGIBLES WHILE ON MILITARY LEAVE

Provided, that persons and employees who were on entrance or promotive eligible lists, shall, for the purpose of this amendment, be deemed to be appointees in their classifications from the time their names were reached for permanent certification while in the military service.

Section 9D.03 TIME LIMIT TO REQUEST TO PARTICIPATE IN SIMILAR PROMOTIONAL EXAMINATION

In order to qualify for participation in a similar promotional examination under the provisions of this section, such employee who desires to participate therein must make application in writing to the civil service commission within 30 days after the abridgment of his military leave, or within 30 days after the effective date of this amendment. Failure to file such written request to participate in a similar promotional examination as herein provided shall be deemed a waiver of all rights of the employee to participate in such similar promotional examination.

Section 9D.04 COMMISSION TO ARRANGE SIMILAR PROMOTIONAL EXAMINATION

The civil service commission shall arrange to hold such similar promotional examination within a reasonable time after employees eligible to request participation in any such similar promotional examination under the provisions of this section have indicated their desire to so participate, or have waived their right to participate, as herein provided.

Section 9D.05 COMMISSION SOLE JUDGE OF ADEQUACY OF SIMILAR PROMOTIONAL EXAMINATION

The civil service commission shall be the sole judge of the adequacy of such similar promotional examination.

Section 9D.06 ADDITION OF NAMES TO ELIGIBLE LIST

If the employee obtains in the similar promotional examination a score rating equal to or more than the minimum passing mark established by the civil service commission for inclusion on the list of eligibles resulting from the original promotional examination, his name shall thereupon be entered on the eligible list resulting from the original promotional examination in accordance with the relative excellence obtained by all the qualified participants in the original and similar promotional examinations.

Section 9D.07 DURATION OF ELIGIBILITY

Such employees shall be eligible for appointment from such list of eligibles in accordance with civil service rules to any vacancy thereafter occurring, and subject to satisfactory completion of a probationary period as provided in Section 8.340 of [the] charter [now CSC Rule 6A] for a period of four years after the date on which their name is entered on the eligible list and before eligibles procuring standing through examinations held subsequent to the original promotional examination.

Section 9D.08 CALCULATION AND USES OF SENIORITY

(a) If it is determined by the civil service commission that the name of such person would have been reached for permanent appointment from the list of eligibles established as a result of the original promotional examination during his term of military service had the name of such person appeared thereon, then such employee, upon appointment to a permanent position as herein provided, shall be granted seniority in such appointment from the date his name would have been reached had his name appeared thereon, but such seniority shall be used only for the purpose of determining salary increments and calculating city and county service credits in other promotional examinations held subsequent to the similar promotional examination herein authorized.

(b) For all other purposes, seniority of service shall date from the date of appointment as a result of qualifying in the similar promotional examination as herein authorized.

Section 9D.09 ELIGIBILITY FOR OTHER PROMOTIONAL EXAMINATIONS

Such employees who qualify for appointment as a result of a similar promotional examination as herein provided, and who are appointed to permanent positions, as herein provided, shall be permitted to participate in other promotional examinations for which they are otherwise eligible, while serving under probationary appointment in the position to which appointed as a result of the similar promotional examination, provided that certification from lists of eligibles established from such other examinations shall not be made until the employee has satisfactorily completed the aforesaid probationary appointment.

Section 9D.10 COMMISSION TO ADMINISTER SIMILAR PROMOTIONAL EXAMINATION

The civil service commission shall adopt rules to govern the administration of similar promotional examinations herein authorized, and appointments and other matters resulting therefrom.

RULE 10

ELIGIBLE LISTS

Section 10.01. ESTABLISHMENT OF ELIGIBLE LISTS

Qualified participants successfully passing all phases of the examination shall be ranked on an "Eligible List" in the order of their total score.

Section 10.02. PRIORITY OF ELIGIBLE LISTS

The order of priority of eligible lists regardless of adoption dates is as follows:

A. Promotive lists
B. Combined promotive and entrance lists
C. Entrance lists

Within each category earlier lists have priority over later lists.

Section 10.03. MAINTENANCE OF ELIGIBILITY

A. Except as otherwise provided in these Rules, eligibles who fail to possess and maintain the qualifications required by law and by the terms of the examination announcement under which they participated will forfeit their eligibility.

B. Except for persons designated as "Holdovers," promotive eligibles on a combined promotive and entrance eligible list who are separated from the City and County service shall have all promotive credit points deleted from their final scores in the examination and their ranks on the eligible list shall be reduced accordingly. If re-employed and if the eligible list has not expired, upon written request and with the approval of the General Manager, Personnel, such promotive credit points and the previous rank shall be restored.

C. Except for persons designated as "Holdovers," eligibles on a promotive only list who are separated from the city and county service shall be removed from such list. If re-employed and if the eligible list has not expired, upon written request and with the approval of the General Manager, Personnel, the person may be returned to the list of eligibles with promotive credit points and previous rank restored.

Section 10.04. OFFICIAL ADOPTION DATE

A. Pending the official adoption of an eligible list, a tentative eligible list shall be posted. Any protests must be filed in the office of the Commission during the posting period. After the posting period and in the absence of protests on ratings, tentative eligible lists shall automatically become official as posted.

B. If protests are received during the posting period, the investigation and action of the General Manager, Personnel, shall be expedited so that final adoption of the eligible list is not delayed beyond sixty (60) days after the date of posting.

C. Eligibles who, as a result of their ranking, would receive a notice of appointment regardless of the outcome of the protest(s) may be offered employment from adopted lists pending the resolution of any protest(s) and amendment to the adopted eligible list.

D. Changes in an eligible list because of clerical errors or re-ratings shall not change the date of adoption of the eligible list.

E. While the tentative eligible list is posted any person may inspect the papers of any eligible in accordance with the provisions of Section 8.323 of the Charter. Eligibles may inspect their own papers without charge.

Section 10.05. DURATION OF ELIGIBLE LISTS

A. As provided in these Rules, examination announcements shall state the duration of the eligible list. If the expiration date falls on a Saturday, Sunday or legal holiday, the removal of all names shall be effective at the close of business on the following business day.

B. Prior to abolishing any list pursuant to Charter Section 8.330, one (1) month notice shall be given to remaining eligibles and the recognized employee organization representing the class affected and eligibles so notified shall be given a final opportunity to accept appointment to positions available.

Section 10.06. USE OF ELIGIBLE LISTS

The initial notice of certification to eligibles shall be issued within thirty (30) days from the date of adoption of the eligible list.

RULE 10A

PROTEST OF TENATIVE LIST OF ELIGIBLES

Incorporating Charter Section 8.323 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 10A.O1 POSTING OF TENTATIVE LIST OF ELIGIBLES

Following the completion of any examination, a tentative list of eligibles shall be posted for the inspection of the public and of participants.

Section 10A.02 DURATION OF POSTING PERIOD

The posting period shall be for a minimum of:

(a) three working days for entrance examinations or

(b) five working days for promotional or combined entrance and promotional examinations.

Section 10A.03 FEE FOR INSPECTION OF EXAMINATION PAPERS

During this period a fee for the inspection of the papers of each eligible shall be charged by the civil service commission. The amount of such fee shall be established by ordinance of the board of supervisors. The fee shall be waived for eligibles who wish to inspect their own papers.

Section 10A.04 DOCUMENTS INCLUDED IN INSPECTION AND MAINTENANCE OF ANONYMITY OF EXAMINERS

Inspection of papers shall include all documents supporting the eligible's rank and score, except neither the identity of the examiner giving any mark or grade in an oral examination nor the questions and answers on any continuous or standardized entrance or concurrent entrance and promotive written test, shall be provided.

Section 10A.05 INSPECTION RESTRICTED TO EXAMINATION PARTICIPANTS

Only participants in the examination may review the questions used in the examination.

Section 10A.06 AUTOMATIC ADOPTION OF TENTATIVE LIST

If no protests are received during the posting period the eligible list is automatically adopted.

Section 10A.07 DISPOSITION OF PROTESTS

If protests are received during the posting period, the investigation and action of the general manager, personnel, shall be expedited so that final adoption of the eligible list is not delayed beyond 60 days after the date of posting.

Section 10A.08 EFFECT ON ELIGIBLES PENDING RESOLUTION OF PROTESTS

Eligibles who, as a result of their ranking, would receive a notice of appointment regardless of the outcome of the protest(s) may be offered employment from adopted lists pending the resolution of any protest(s) and amendment to the adopted eligible list.

RULE 10B

DURATION OF LISTS OF ELIGIBLES

Incorporating Charter Section 8.330 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 10B.01 TENURE OF LISTS OF ELIGIBLES

The civil service commission may remove all names from the list of eligibles after they have remained thereon for more than two years and all names thereon shall be removed at the expiration of four years.

Section 10B.02 PROVISION FOR AUTOMATIC EXPIRATION OF ELIGIBLE LISTS

The commission may, however, provide in the examination announcement that the list of eligibles secured thereby shall automatically expire at a date not less than two or more than four years after the adoption of such list.

RULE 11A

DURATION OF AND CERTIFICATION FROM LIST E-133

FOR CLASS 9163 TRANSIT OPERATOR

Section 11A.01. Duration of List E-133 for Class 9163 Transit Operator.

Eligible List Number E-133 for Class 9163 Transit Operator scheduled to expire on September 15, 1993 shall be extended to and shall expire on December 31, 1993.

Section 11A.02. Certification of Eligibles from List E-133 for Class 9163 Transit Operator.

All available eligibles on List E-133 for Class 9163 Transit Operator shall be certified to each approved personnel requisition.

Section 11A.03. Expiration of Rule 11A.

This Rule as adopted by the Civil Service Commission at its meeting of August 16, 1993 shall automatically expire on December 31, 1993.

Section 11.02. CERTIFICATION OF ELIGIBLES

A. Rule of One

1. The name of the highest available eligible shall be certified to the appointing officer for each position to be filled from eligible lists from which the Government Code of the State of California requires Rule of One certifications.

2. If two (2) or more approved requisitions are on file, the General Manager, Personnel, may permit eligibles in line for appointment and in accordance with their standing on the list to select from among the available requisitions the positions to which they desire appointment.

3. In cases where eligibles on lists who would be reached for appointment on requisitions are at that time employed in the city and county service, the General Manager, Personnel, may consult with appointing officers and employees involved; and if it is in the best interests of the service, may offer out said positions as to make it possible for the continued employment of such eligibles in their current departments.

B. Rule of Three Scores

1. Except as provided above, the Commission shall certify to the appointing officer the names of eligibles with the three highest scores on the list of eligibles for the position who are available for appointment.

2. Except as otherwise provided when there are two (2) or more approved requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus two (2) scores.

C. Selective Certification of Certified Temporary Employees

1. With the exception of the uniformed ranks of the Police and Fire Departments, notwithstanding anything to the contrary in this or any other section of these Rules, an employee who has been appointed from a regularly adopted eligible list to a non-permanent position shall be entitled to appointment to a permanent position within the same classification before the certification of persons standing higher on the list of eligibles subject to a period of six (6) months of service in the class or for the period provided for in the examination announcement in any status and certification by the appointing officer(s) of satisfactory job performance for the period of the required service on the form and in the manner prescribed by the General Manager, Personnel.

2. The General Manager, Personnel, is authorized to take such administrative action not in conflict with these Rules as is required to make this section operative including imposition and removal of waivers.

D. Supplementary Certification

If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

Section 11.02-contd.

E. Reemployment Registers

1. Eligibles on a reemployment register created by the Commission pursuant to the separation procedures provided elsewhere in these rules shall have priority over eligibles on regular lists for certification to available positions, provided, however, if there are less than three (3) names with different scores on such register, additional eligibles from the regular list shall be certified in combination with eligibles from the reemployment register and certification of eligibles shall be made under the Rule of Three (3) highest scores.

2. Ranking on a reemployment register shall be by order of seniority in the class in the city and county service.

3. Persons terminated from temporary civil service appointment who are placed on a reemployment register shall be eligible for certification to temporary positions only.

Section 11.03. RESPONSE PERIOD

A. Notice of Inquiry

1. Eligibles are required to respond in writing to the Civil Service Department within five (5) business days of the date of such notice.

2. The General Manager, Personnel, may authorize that eligibles be polled by telephone, provided however that eligibles who cannot be reached by telephone shall not be penalized or adversely affected in any way.

B. Notice of Certification

1. Eligibles are required to respond to the appointing officer or designated representative within five (5) business days after the date of such Notice.

2. Eligibles are required to notify the Civil Service Department as to their certification status within seven (7) business days after the date of the Notice of Certification.

3. Departments are required to notify the Civil Service Department of the results of a certification within twenty (20) business days after the date of the Notice of Certification.

C. Extensions

Response period time limits may be extended by the General Manager, Personnel.

Section 11.04. EFFECT OF FAILURE TO RESPOND

A. An eligible who fails to respond within the time limits provided shall be placed under general waiver on the eligible list until such time as the waiver is withdrawn in accordance with these Rules.

B. Except if the General Manager, Personnel, determines that unusual circumstances exist which would create an undue hardship, a department that fails to respond within the time limits provided may be required to present the reasons for the delay to the Commission.

Section 11.05. WAIVERS

A. General Waivers

An eligible may be placed on an inactive status under general waiver of certification on an eligible list as follows:

1. At the eligible's written request. Such waivers shall be effective on the next business day.

2. For failure to respond to a Notice of Certification or Inquiry within the prescribed time limits.

3. For failure to notify the Commission as to the eligible's status within seven (7) days following certification.

4. A person appointed to a permanent position shall be under general waiver for all appointments on all eligible lists for the same class. A person appointed to a temporary position shall be under general waiver for temporary appointment on all eligible lists for the same class. Such waiver may not be withdrawn unless ordered by the General Manager, Personnel.

5. For reasons prescribed elsewhere in these Rules.

An eligible under general waiver shall not be certified to any position on the eligible list until the eligible notifies the Commission to withdraw such waiver in writing as prescribed in these Rules. General waivers imposed by the Commission or General Manager, Personnel, may not be removed unless ordered by the Civil Service Commission or General Manager, Personnel.

B. Conditional Waivers

Except as provided by the examination announcement, waiver of certification to positions with unusual employment circumstances or special conditions of employment may be imposed by the eligible to be effective the next business day by action of the Civil Service Commission or by the General Manager, Personnel. Conditional Waivers on an eligible list imposed by the eligible shall remain in force until withdrawn in accordance with these Rules.

C. Effects of Waivers

1. A general or conditional waiver of certification by an eligible having standing on more than one list in the same classification shall apply to any existing list for the same classification.

2. An eligible who waives certification to a position covered by conditional waivers shall not be certified to a position requiring those conditions from that list until such waiver is removed in accordance with the provisions of these Rules.

3. Unless otherwise provided in the examination announcement, eligibles may refuse consideration for temporary or permanent appointment from two Notices of Certification. Refusal of consideration from the third Notice of Certification shall result in the removal of the eligible's name from that eligible list and all other lists in that class. The non-selection by the department of an available eligible shall not be recorded as a refusal.

RULE 11A

DURATION OF AND CERTIFICATION FROM LIST E-133

FOR CLASS 9163 TRANSIT OPERATOR

Section 11A.01. Duration of List E-133 for Class 9163 Transit Operator.

Eligible List Number E-133 for Class 9163 Transit Operator scheduled to expire on September 15, 1993 shall be extended to and shall expire on December 31, 1993.

Section 11A.02. Certification of Eligibles from List E-133 for Class 9163 Transit Operator.

All available eligibles on List E-133 for Class 9163 Transit Operator shall be certified to each approved personnel requisition.

Section 11A.03. Expiration of Rule 11A.

This Rule as adopted by the Civil Service Commission at its meeting of August 16, 1993 shall automatically expire on December 31, 1993.

Section 11.05(C)-contd.

4. Unless otherwise ordered by the General Manager, Personnel, if one Notice of Certification is issued for more than one department or position and the eligible refuses a position not previously waived, a refusal shall be recorded against the eligible's name on the list.

D. Withdrawal of Waivers

1. Withdrawal of general or conditional waivers imposed by the eligible must be filed in writing with the Civil Service Department.

2. Such requests must be received in Civil Service Department offices before the close of business on the third Friday of the month to be effective the first business day of the following month. In the event the third Friday is a legal holiday, such requests must be received by the close of business on the next business day.

3. Withdrawal of waivers which have been imposed by the Commission or the General Manager, Personnel, may be authorized at any time and become effective the first business day of the following month unless specifically ordered otherwise.

4. Withdrawal of waivers shall not interfere with nor affect the rights of eligibles next in line for certification to whom Notices of Certification have already been mailed and who have been or may be appointed in response to such notices.

5. Immediate withdrawal of waiver may be authorized by the General Manager, Personnel, if it is determined that such immediate withdrawal of waiver is in the best interests of the Service.

Section 11.06. CHANGE OF ADDRESS

In all cases of change of address, the Civil Service Department must be notified in writing separately for each class involved. Notice of change of address to the post office and/or the employee's current department only shall not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

RULE 11B

CERTIFICATION FROM CERTAIN ELIGIBLE LISTS

FOR CLASSES 1823 SENIOR ADMINISTRATIVE ANALYST

AND

1824 PRINCIPAL ADMINISTRATIVE ANALYST

Section 11B.01. Certification from Certain Eligible Lists in Class 1823 Senior Administrative Analyst.

All available eligibles on eligible lists established under the terms of examination announcements numbers 137-93, 138-93, 139-93 and 146-93 for Class 1823 Senior Administrative Analyst shall be certified to each approved personnel requisition.

Section 11B.02. Certification from Certain Eligible Lists in Class 1824 Principal Administrative Analyst.

All available eligibles on eligible lists established under the terms of examination announcements numbers 141-93, 142-93 and 143-93 for Class 1824 Principal Administrative Analyst shall be certified to each approved personnel requisition.

Section 11B.03. Expiration of Rule 11B

This Rule as adopted by the Civil Service Commission at its meeting of November 1, 1993 shall automatically expire effective with the expiration or cancellation date of the last eligible list for either Class 1823 Senior Administrative Analyst on Class 1824 Principal Administrative Analyst subject to the provisions of this Rule.

RULE 12

APPOINTMENTS

Section 12.01. APPOINTMENT - GENERAL PROVISIONS

A. Report of Appointment

Except with the permission of the General Manager, Personnel, all appointments shall be reported by the appointing officer to the Civil Service Department on the prescribed form prior to the appointee's starting date of employment.

B. Validation of Appointment

No appointee may begin working except with permission of the General Manager, Personnel, until the appointing officer has received official notice of validation of appointment from the Civil Service Department.

C. Finality of Appointing Officer

Except as otherwise provided in these Rules, ordinances, or the Charter, the decision of the appointing officer in all matters regarding appointment shall be final.

Section 12.02. PERMANENT APPOINTMENT

A. Permanent Appointment - Definition

A permanent appointment is an appointment made as a result of certification from an eligible list to a permanent position.

B. Method of Appointment

Permanent appointments shall be made in the following order of priority:

1. By the return to duty of a permanent holdover;

2. By the reinstatement of a promotive probationary employee consistent with the provisions in the Reinstatement Rule governing such employees.

3. By the appointing officer through use of any one of the following options:

a. Advancement of a part-time employee to full-time status consistent with the Rule governing part-time employment; or,

b. Transfer; or,

c. From requests for reinstatement other than by the reinstatement of a promotive probationary employee consistent with the provisions in the Reinstatement Rule governing such employees; or,

d. By reappointment following resignation; or,

e. By certification by the Civil Service Department of eligibles from a regular list or reemployment register.

Exercise of one option will preclude the use of any other method of appointment except as a result of any settlement arising following an appeal or other litigation. Departments may also fill permanent vacancies through internal reassignment of permanent employees consistent with departmental procedures. Such reassignments are not within the jurisdiction of the Civil Service Commission except as specifically provided elsewhere in these Rules.

Section 12.03. TEMPORARY APPOINTMENT

A. Temporary appointment shall be either:

1. An appointment from an eligible list to a temporary position. Such appointment is time limited to a maximum duration of the hourly equivalent of one-hundred thirty (130) working days based on the regular daily work schedule of the employee, and in no case may the maximum exceed one-thousand forty (1040) hours; or

2. An appointment from an eligible list to a temporary position established to perform a special project or investigation. The establishment of such position shall require the express approval of the Civil Service Commission. It must be readily foreseeable that the duties and responsibilities and products must be completed by the time limit of a maximum of the hourly equivalent of two-hundred sixty (260) working days based on the regular daily work schedule of the employee, and in no case may the maximum exceed two thousand eighty (2080) hours.

B. Expiration of temporary appointment

1. Upon expiration of the maximum allowable time period or upon expiration of the appointee's temporary position, temporary appointees shall be separated as provided below.

2. Temporary appointees so separated shall be returned to the list of eligibles from which appointed if such list has not expired. Temporary appointees, except those appointed from a "near-list", whose list has expired shall be ranked on the holdover roster for the class.

3. Temporary appointees returned to the eligible list or to the holdover roster shall be immediately available for certification to temporary positions:

a. Under another appointing officer; or

b. To the same appointing officer to another position with the express approval of the General Manager, Personnel. In the case of represented classes the General Manager, Personnel, shall provide prior notification to the appropriate bargaining representative of intention to authorize such immediate certification and shall, upon request, meet and confer concerning the proposed certification.

C. Layoff due to lack of work or lack of funds or termination shall be as provided elsewhere in these Rules.

Section 12.04. PROVISIONAL APPOINTMENT

A. Non-Civil Service Appointment

1. Non-civil service appointment, made under the authority of Charter Section 8.332 shall be an appointment to a permanent or temporary position when either:

a. There is no available eligible. It is time limited to a maximum duration of the hourly equivalent of 130 working days based on the regular work schedule of the employee; however, in no case may the maximum duration exceed one-thousand forty (1040) hours in any class or in any department in a calendar or fiscal year or except with the express approval of the General Manager, Personnel, thirty (30) days from eligible list adoption, whichever is less; or

b. There is an emergency. Such appointment is time limited to a maximum of two-hundred forty (240) hours.

2. Non-civil service appointees serve at the discretion of the appointing officer.

3. Non-civil service appointees shall be separated as provided below at the expiration of the maximum allowable time or upon expiration of the appointee's temporary position.

4. The General Manager, Personnel, shall promulgate policies and procedures for making non-civil service appointments which include provisions that appointments shall be made on the basis of a combination of merit factors, affirmative action and, if promotive, seniority.

5. Notification to signatory unions shall be as follows:

Employee organizations signatory to the Letter of Agreement adopted April 4, 1983, shall be notified on a biweekly basis of all non-civil service appointments authorized in the preceding two-week period, together with the duration of such appointments and the reason(s) for such duration. Union representatives of organizations signatory to the aforementioned agreement shall have the right to meet and confer with the General Manager, Personnel, or designee following notification cited hereinabove.

B. Limited Tenure Appointment

1. A limited tenure appointment is an appointment made to a permanent or temporary position under authority of Section 8.331 of the Charter in a class for which there is no available eligible.

2. All limited tenure appointments shall require the express prior approval of the Commission and shall be made pursuant to the stated intent of the Letter of Agreement and Compliance Agreement adopted April 4, 1983, as it pertains to the classes represented by the unions signatory to these Agreements.

3. Layoff due to lack of work, lack of funds or termination shall be as provided elsewhere in these Rules and in Charter Section 8.331.

4. A civil service appointee who is laid off, terminated or who resigns from a limited tenure appointment shall return to the appointee's permanent position.

5. A limited tenure appointee resigning from employment shall complete the prescribed resignation form.

C. Provisional Appointees -
No Preference for Permanent Appointment

Provisional appointees shall acquire, by virtue of serving under provisional appointment, no right or preference for permanent appointment.

Section 12.05. SEPARATION OF TEMPORARY AND PROVISIONAL APPOINTEES UPON EXPIRATION OF TERM OF EMPLOYMENT

A. No temporary or provisional appointment shall exceed the maximum allowable duration provided in these Rules, and upon expiration of that period of time, the appointee shall be separated from the position.

B. The appointee's separation shall be based upon the expiration of the maximum allowable duration or upon expiration of the appointee's temporary position. Such separation shall be without reference to the layoff or termination provisions of these Rules. The appointee shall be notified in writing, 1) at the time of appointment as to the duration of such appointment and 2) at least ten (10) working days in advance of the final date.

RULE 12A

LIMITED TENURE APPOINTMENTS

Incorporating Charter Section 8.331 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 12A.01 LIMITED TENURE APPOINTMENTS - WHEN AUTHORIZED

When in time of war declared by the Congress of the United States eligibles are not available for appointment from registers established through the regular examination procedure as provided under [Charter] Sections 8.320 [now CSC Rule 8A], 8.321 [now CSC Rule 9A], 8.324 [now CSC Rule 9C] and 8.330 [now CSC Rule 10B], the civil service commission may qualify applicants for wartime appointments to positions through informal and non-competitive tests.

Section 12A.02 SELECTION OF LIMITED TENURE APPOINTEES

Such tests and appointments resulting therefrom shall be governed solely by the provisions of this [Rule] and by rule of the civil service commission adopted pursuant thereto and the tests shall be adequate in the judgment of the civil service commission to determine the capacity of applicants to perform the duties of the positions to be filled pending creation of lists of eligibles through the regular examination procedure as provided in [Charter] Sections 8.320 [now CSC Rule 8A], 8.321 [now CSC Rule 9A], 8.324 [now CSC Rule 9C] and 8.330 [now CSC Rule 10B].

Section 12A.03 DEFINITION AND DURATION OF LIMITED TENURE APPOINTMENTS

Appointments made under the provisions of this [Rule] shall be designated "limited tenure appointments" and may continue only until registers of eligibles are established through the regular examination procedure provided in [Charter] Sections 8.320 [now CSC Rule 8A], 8.321 [now CSC Rule 9A], 8.324 [now CSC Rule 9C] and 8.330 [now CSC Rule 10B] but in no event to exceed six months beyond the cessation of hostilities.

Section 12A.04 LAYOFF OF LIMITED TENURE APPOINTEES

Limited tenure appointments may be terminated by the appointing officer at any time for lack of work or funds.

Section 12A.05 TERMINATION OF LIMITED TENURE APPOINTEES

Limited tenure appointments may be terminated by the appointing officer for good cause at any time with the approval of the civil service commission without reference to the procedures governing removals set forth in [Charter] Section 8.341.

Section 12A.06 RESTRICTION ON RIGHTS ON LIMITED TENURE APPOINTEES

Persons serving under limited tenure appointments as in this [Rule] provided shall by reason of such service acquire no right or preference to permanent civil service status as defined elsewhere in [the] charter or by rule of the civil service commission which is conferred on persons completing probationary appointments made from lists of eligibles established through the regular examination procedures provided in [Charter] Sections 8.320 [now CSC Rule 8A], 8.321 [now CSC Rule 9A], 8.324 [now CSC Rule 9C] and 8.330 [now CSC Rule 10B] of [these Rules].

Section 12A.07 RESTRICTION ON CREDIT FOR LIMITED TENURE SERVICE - EMPLOYEES OF MUNICIPAL RAILWAY

Service after January 1, 1951, under limited tenure appointment, by platform employees of the municipal railway, shall not be included in the calculation of service of such employees for the purpose of determining assignments of runs when such assignments are made on the basis of seniority of service.

Section 12A.08 NON-CIVIL SERVICE APPOINTMENTS WHEN NO ELIGIBLE LIST

Non-civil service appointments in the absence of civil service eligibles as provided in [Charter] Sections 8.320 [now CSC Rule 8A], 8.321 [now CSC Rule 9A], 8.324 [now CSC Rule 9C] and 8.330 [now CSC Rule 10B] shall not be authorized if applicants qualified for limited tenure appointments are available.

Section 12A.09 CIVIL SERVICE COMMISSION TO MAINTAIN ELIGIBLE LISTS

The civil service commission shall make every effort consistent with current conditions to maintain adequate registers of eligibles established through the regular examination procedure provided in [Charter] Sections 8.320 [now CSC Rule 8A], 8.321 [now CSC Rule 9A], 8.324 [now CSC Rule 9C] and 8.330 [now CSC Rule 10B] hereof.

Section 12A.10 CIVIL SERVICE COMMISSION TO ADOPT RULES TO GOVERN LIMITED TENURE APPOINTMENTS

The civil service commission shall adopt rules to carry out the provisions of this [Rule] and to govern the administration of limited tenure appointments.

Section 12A.11 ADDITIONAL AUTHORITY FOR LIMITED TENURE APPOINTMENTS

(a) In time of national emergency declared by the President of the United States or by the Congress or while any act authorizing compulsory military service or training is in effect, the provisions of this [Rule] may also be made operative upon recommendation of the civil service commission and approval of the board of supervisors by ordinance enacted by two thirds vote of the board.

(b) Authority for limited tenure appointments, if established pursuant to the authority of this paragraph, shall cease six months after repeal by the board of supervisors of the ordinance which authorized such appointments.

RULE 12B

TEMPORARY AND EMERGENCY APPOINTMENTS

Incorporating Charter Section 8.332 into
the Civil Service Commission Rules
Pursuant to Charter Section
8.320-1 Incorporating Former Charter Provisions
(Proposition C - November 5, 1991 Election)

Section 12B.O1 TEMPORARY "NEAR LIST" APPOINTMENTS AUTHORIZED

When no list of eligibles exists or no eligible is available on an existing list for a position in the class requisitioned by the appointing officer, and immediate service in the position is required by the appointing officer and another list exists which is deemed by the civil service commission to be suitable to provide temporarily the service desired, the commission shall certify for civil service temporary appointment an eligible from such list;

Section 12B.02 NON-CIVIL SERVICE APPOINTMENT DEFINED

If no such other list deemed by the commission to be suitable exists, the commission pursuant to its rules may authorize the appointing officer to make a non-civil service or emergency appointment thereto for a period not exceeding 130 working days.

Section 12B.03 DURATION OF NON-CIVIL SERVICE APPOINTMENT

Non-civil service or emergency appointments extended beyond 90 days must be approved by the civil service commission. Such non-civil service or emergency appointment, however, shall cease prior to the expiration of such 130 working days at the time a civil service eligible reports for duty as provided in Section 8.329 of the charter.

Section 12B.04 EMERGENCY APPOINTMENT PENDING CANVASSING OF ELIGIBLE LIST

(a) If a list of eligibles exists for the position requisitioned, but immediate service is deemed necessary by the appointing officer pending the time an eligible from such list is certified and reports for duty as provided in Section 8.329 of the charter, the commission may authorize the appointing officer to make a non-civil service or emergency appointment thereto for a period not exceeding 30 working days.

(b) Such non-civil service or emergency appointment, however, shall cease prior to the expiration of such 30 working days at the time a civil service eligible reports for duty as provided in Section 8.329 of [the] charter.

Section 12B.05 RESTRICTION ON COMPENSATION OF NON-CIVIL SERVICE APPOINTEES

No person shall be compensated under any non-civil service or emergency appointment or appointments as authorized under the provisions of the foregoing paragraphs of this [Rule] for a period exceeding 130 working days in any fiscal or calendar year, and no claim or warrant therefore shall be approved, allowed or paid for any compensation in excess of such 130 working days in any fiscal or calendar year.

Section 12B.06 MANDATE FOR FUNDING COMMISSION TO CONDUCT EXAMINATIONS

If no eligibles are available for appointment to a permanent position in the class requested by the appointing officer the commission shall immediately hold an examination and establish an eligible list for such position. If its annual appropriation is insufficient to meet the cost of said examination, it shall report to the mayor the estimated cost thereof, and the mayor shall request and the supervisors shall make supplemental appropriation therefore in the manner provided herein for supplemental appropriations.

RULE 13

REINSTATEMENT AND REAPPOINTMENT

Section 13.01. REINSTATEMENT

A. A permanent employee who accepts permanent appointment to a position in another class shall be permanently separated from any former position, with the following exception:

1. The employee may be reinstated to a vacant position in any former class in which the probationary period had been completed upon the employee's written request on the prescribed form and with the approval of the appointing officers in both the present department and the former department or the department(s) to which reinstatement is requested. A copy of the approved form(s) must be filed with the Civil Service Department.

2. An employee serving a promotive probationary period shall be reinstated to a vacant position in any former class in which the probationary period had been completed upon the employee's written request on the prescribed form and with the approval of the General Manager, Personnel.

a. A request for reinstatement under this section shall not extend the probationary period or infringe upon an appointing officer's authority to terminate an employee.

b. An approved request for reinstatement shall remain in effect until the employee is either reinstated, separated, refuses an offer of reinstatement, or such a request is cancelled by the General Manager, Personnel.

c. Separation of the employee shall nullify all requests for reinstatement approved under this section.

d. The employee shall receive one offer of reinstatement. Failure to accept a reinstatement offer shall forfeit all rights to reinstatement under this section.

e. A reinstatement under this section shall be under the Rule of One.

f. If more than one request for reinstatement under this section is on file, the person with the greater seniority in the class to which reinstatement is requested shall be reinstated first.

B. Reinstatement to a position in a former class and department shall be with former civil service seniority standing in that department and no probationary period shall be required.

C. Reinstatement to a position in a former class in another department shall require a new civil service seniority date in that department from the date of such reinstatement and shall require a new probationary period.

Section 13.02. REINSTATEMENT FOLLOWING TRANSFER

An appointment by transfer shall cancel all rights to the position from which transferred except that, prior to the completion of the probationary period, a transferee may request reinstatement to a vacancy in a position in the same class and department from which transferred in accordance with the procedures established in Section 13.01.

Section 13.03. REAPPOINTMENT AFTER RESIGNATION

A. A permanent appointee who has completed the probationary period who resigns and whose services have been certified as satisfactory by the appointing officer, or except as otherwise ordered by the Commission in the case of services certified as unsatisfactory, shall be permanently separated from such appointment except as follows:

> Except for the members of the uniformed ranks of the Police and Fire Department, upon request on the prescribed form within a four (4) year period after the effective date of the resignation, the resignee with the approval of an appointing officer may be appointed ahead of eligibles to a vacancy in a permanent position in the class from which resigned in any department.
>
> A separate request must be filed with each department to which reappointment is desired. An approved copy of the reappointment form(s) must be filed with the Civil Service Department.
>
> Consistent with the above procedure, members of the uniformed ranks of the Police and Fire Department shall have two (2) years from the effective date of the resignation to request and to be reappointed.

B. If a vacancy does not exist in the class from which resigned from city and county service, or if otherwise approved by the General Manager, Personnel, a resignee may re-enter the service to a vacancy in any former class in which the probationary period had been completed in any department with the approval of the appointing officer.

C. When reappointed, the resignee shall enter the service as a new appointee with no rights based on prior service except such as may be specifically provided elsewhere in these Rules, in the Vacation, Sick Leave and Salary Standardization Ordinances, and in the examination procedures with respect to credit for prior city and county service.

Section 13.04. RESTRICTIONS ON REINSTATEMENT AND REAPPOINTMENT

Appointments by reinstatement or reappointment are subject to the provisions of Rule 12.

RULE 14

PART-TIME AND AS-NEEDED EMPLOYMENT

Section 14.01. PART-TIME EMPLOYMENT

A. Part-Time Employment - Definition

Part-time employment is regularly scheduled, less than full-time permanent or temporary appointment to a permanent or temporary position.

B. Waiver of Part-Time Employment

Any part-time position may be declared by the General Manager, Personnel, to be under conditional waiver and eligibles may then waive certification without penalty for appointment to a full-time position. An eligible who accepts such appointment shall retain eligibility for appointment to a full-time position.

C. Advancement From Part-Time or School-Term Position to Full Time

After one (1) year of continuous permanent satisfactory service in a part-time or school-term only position, the senior appointee in a class in the department may be advanced by the appointing officer to a full-time position. Such advancement from a school-term only position shall not require that a new probationary period be served. Advancement from a part-time position shall require a new probationary period.

Section 14.02. AS-NEEDED EMPLOYMENT

As-needed employment is a temporary or provisional appointment on either a full-time or part-time work schedule against a temporary requisition designated as as-needed to cover peak workloads, emergency extra workloads, necessary relief, and other situations involving a fluctuating staff.

RULE 15

MEDICAL EXAMINATIONS

Section 15.01. REQUIREMENT FOR MEDICAL EXAMINATION OF APPOINTEES

A. Except as otherwise provided in these Rules, all Civil Service appointees shall be required to meet acceptable medical standards which may include passing a medical examination before a physician designated for such purpose by the General Manager, Personnel. The General Manager, Personnel, in consultation with the Director of Health and the General Manager of the Retirement System or designees, shall designate those appointees for whom a medical examination is required; provided however, if requested by a recognized employee organization for appointees in classes under their respective jurisdictions, a medical examination shall be required; and provided further that a medical examination shall be required for all appointments in the uniformed ranks of the San Francisco Police Department and the San Francisco Fire Department.

B. Persons who inexcusably fail to complete a required medical examination or fail to follow established procedures in reporting for medical examination shall be placed under waiver on all eligibility lists and shall have the appointment and/or certification cancelled. Such waiver shall not be removed except with the special permission of the General Manager, Personnel. A second occurrence shall remove the name of the person from all eligible lists, and future employment shall require the express approval of the General Manager, Personnel.

Section 15.02. MEDICAL EXAMINATION OF EMPLOYEES

A. An appointing officer or authorized representative who has reason to believe that an employee is not medically or physically competent to perform assigned duties, and if allowed to continue in employment or return from leave may represent a risk to co-workers, the public or to the employee, may require the employee to present a medical report from a designated Commission physician certifying the employee's medical or physical competency to perform the required duties.

B. If the employee refuses or fails to obtain such physician's certificate or if as a result of a medical evaluation the employee is found not to be medically or physically competent, the appointing authority or authorized representative shall place the employee on compulsory sick leave under the leave provisions of these Rules and shall immediately report such action to the Commission. Return of the employee to duty and appeals of imposition of compulsory leave shall be as provided in the Rules governing leaves.

Section 15.03. MEDICAL REJECTION

A. Effect of Medical Rejection

1. Any person who fails to pass the medical examination shall be rejected and the rejection shall apply to any other class or position unless the medical standards pertaining to the class or position in question are different and the General Manager, Personnel, approves.

2. The General Manager, Personnel, upon the advice of the medical examiners, is authorized to validate the appointment of a person with medically disqualifying conditions that are subject to correction within a reasonable time period, and order that the employment of such persons be subject to passing all medical requirements within five (5) months of the date of the first medical examination, or less time, if conditions warrant. Persons who fail to pass the medical examination within the approved time period shall be terminated.

3. The name of an eligible who is found to have a disqualifying medical defect that is not correctable shall be removed from all eligible lists unless the person has standing on a list or lists for which the medical standards are different and the General Manager, Personnel, approves.

B. Appeal of Medical Rejection

1. Application for Re-examination

A person who has been medically rejected may present, within thirty (30) days of the notice of rejection, or the date of correction of the condition leading to rejection, medical evidence that the condition leading to rejection has been corrected, no longer exists, or did not in fact exist and may apply to the General Manager, Personnel, for medical re-examination.

2. Appeal of Medical Rejection Following Re-examination

A person who has been medically rejected following re-examination may appeal the rejection to the General Manager, Personnel, within ten (10) days of the date of the notice of rejection following medical re-examination. The General Manager, Personnel, shall appoint a medical specialist not in the city and county service to conduct an evaluation and to report the findings. Subject to budgetary limitations, this evaluation shall be conducted at the cost of the City and County. If sufficient funds are not available, the evaluation shall be at the cost of the person appealing medical rejection. The decision of the medical specialist shall be final and no further appeal shall be allowed.

3. Failure to appeal within the appeal periods provided above shall constitute a waiver of appeal and shall cause all appeal rights for the rejection in question to be lost.

RULE 16

PROBATIONARY PERIOD

Section 16.01. PURPOSE OF THE PROBATIONARY PERIOD

A. The probationary period is the final phase of the selection process and is to be used for evaluating the ability of the employee to perform the assigned duties of the position to which appointed.

B. Nothing in these provisions is intended to infringe upon or restrict the discretion of appointing officers in terminating a probationary employee as provided in Charter Section 8.340 and elsewhere in these Rules.

Section 16.02. APPOINTMENTS SUBJECT TO THE PROBATIONARY PERIOD

A probationary period is required for the following types of appointment:

A. Permanent appointment from an eligible list.

B. Permanent appointment following layoff or involuntary leave when the appointment is to a class and/or department other than the one from which laid off or where a probationary period had not been previously served in the class and department.

C. Appointment by permanent transfer to the same class in another department, disability transfer, or appointment by transfer occasioned by reduction in force due to technological advances, automation or the installation of new equipment.

D. Reappointment of resignees.

E. Reinstatement at the request of the employee to a permanent position in a former class in a department other than a department in which the probationary period had been completed in this former class.

F. Advancement from a part-time position to a full-time position except if the employee has previously served a probationary period in a full-time position in the same class in the same department.

Section 16.03. EXCEPTION TO PROBATIONARY PERIOD REQUIREMENT

Employees returned to a position in the class from which promoted by action of the Commission under the separation procedures provided elsewhere in these Rules shall not be required to serve a new probationary period, unless ordered otherwise by the Commission.

Section 16.04. DURATION OF PROBATIONARY PERIOD

A. The probationary period shall be six (6) months except for those classes designated in the appendix of this rule.

Section 16.06. REPORT OF PROBATIONARY PERIOD

The appointing officer shall notify the appointee and the Commission on the prescribed form of the completion of an appointee's probationary period.

B. An employee appointed through disability transfer as provided elsewhere in these Rules shall be required to serve a probationary period of six (6) months of service.

C. The probationary period for an employee returned to duty to a permanent appointment following layoff as provided elsewhere in these Rules shall be six (6) months of service in all cases provided, however, that a permanent holdover who was serving a probationary period when laid off and is being returned to duty in the same department from which laid off shall serve the balance of the probationary period.

D. Appointing officers may credit, as time served toward the completion of the probationary period, prior permanent appointment in the same class, not to exceed the total length of the period(s) of appointment up to a maximum credit of one-half (1/2) of the required length of the probationary period.

E. Appointing officers may credit periods of limited term transfer toward the completion of the probationary period as provided in the Transfer Rule.

Section 16.05. EXTENSION OF THE PROBATIONARY PERIOD

A. Except as provided elsewhere in this section, all periods of unpaid authorized leave, except sick leave, all periods of unauthorized absence, and all periods of disciplinary suspension shall automatically extend the probationary period by the total time of the absence.

B. All periods of sick leave, with or without pay, in excess of ten (10) working days per six (6) months of probationary period shall automatically extend the probationary period by the total time off in excess of ten (10) working days.

C. For all appointees, periods of disability leave shall automatically extend the probationary period by the total time of the absence.

D. Regular civil service appointees in the School Districts shall have their probationary period calculated on the basis of actual service, excluding from such period of service, periods of non-service such as school vacation.

E. Exceptions to Extension

1. Military leave, jury duty leave, and vacation leave granted during the probationary period shall not extend the probationary period.

2. Time served while on leave of absence to serve temporarily under the same appointing officer in another class during the probationary period shall be counted toward the completion of the probationary period for the class from which leave was granted. Appointing officers shall notify the Commission in writing of such temporary appointments.

RULE 16 - APPENDIX

The Civil Service classes listed below require a probationary period which is other than six (6) months duration:

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
0280	Deputy Clerk, Municipal Court	1 YEAR	05/05/86
B164	Senior Law Clerk	1 YEAR	12/15/80
H2	Firefighter	12 CAL MOS	CHARTER
Q2	Police Officer	SEE NOTE A	CHARTER
1107	Deputy Dir, Rent Arbitration Board	1 YEAR	01/28/85
1110	Ex Asst to the Gen Mgr, Ret. System	1 YEAR	12/15/85
1112	Retirement System General Mgr	1 YEAR	04/20/81
1113	Deputy General Manager, Retirement System	1 YEAR	11/19/91
1114	Administrator, Retirement Svcs	1 YEAR	04/20/81
1115	Chief Investment Officer	1 YEAR	04/20/81
1116	Commercial Division Asst Mgr	1 YEAR	04/20/81
1118	Commercial Division Mgr	1 YEAR	04/20/81
1120	Director of Animal Care and Control	1 YEAR	02/04/91
1121	Deputy Director of Animal Care and Control	1 YEAR	02/04/91
1125	Division Manager, Registrar of Voters	1 YEAR	03/19/90
1126	Public Administrator	1 YEAR	04/20/81
1128	Registrar of Voters	1 YEAR	04/20/81
1131	Asst Public Administrator, Public Guardian	1 YEAR	04/20/81
1132	Recorder	1 YEAR	01/28/85
1133	Chief Deputy Recorder	1 YEAR	01/28/85
1136	Asst County Clerk	1 YEAR	12/15/80
1140	Deputy Clerk of the Board of Supervisors	1 YEAR	01/28/85
1142	County Clerk	1 YEAR	12/15/80
1144	Chief Asst Clerk, Board of Supervisors	1 YEAR	04/20/81
1146	Clerk of the Bd, Legis Admin and City Clerk	1 YEAR	04/20/81
1150	Gen Mgr, Department of Electricity	1 YEAR	04/20/81
1160	Asst Dir of Purchasing and Svcs	1 YEAR	04/20/81
1161	Ex Asst to the Admin, SFGH	1 YEAR	01/23/89
1163	Ex Asst to the Director of Health	1 YEAR	01/23/89
1218	Payroll Supvr	1 YEAR	12/15/80
1226	Chief Payroll and Personnel Clerk	1 YEAR	12/15/80
1231	Associate Affirmative Action Coordinator	1 YEAR	12/15/80
1232	Training Officer	1 YEAR	12/15/80
1233	Affirmative Action Specialist	1 YEAR	12/15/80
1234	Dir of Training	1 YEAR	12/15/80
1235	Affirmative Action Coordinator	1 YEAR	12/15/80
1237	Training Coordinator	1 YEAR	11/15/82
1240	Asst Personnel Analyst	1 YEAR	12/15/80
1242	Personnel Analyst	1 YEAR	12/15/80
1244	Sr Personnel Analyst	1 YEAR	12/15/80
1246	Principal Personnel Analyst	1 YEAR	12/15/80

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
1778	Reproduction Services Manager	1 YEAR	06/11/84
1780	Asst Chief, Computer Oper & Support Svcs	1 YEAR	04/20/81
1806	Sr Statistician	1 YEAR	04/20/81
1809	Administrative Asst to the Supt of Schools	1 YEAR	06/07/82
1811	Management Info Systems Specialist I	1 YEAR	06/11/84
1812	Asst Retirement Analyst	1 YEAR	06/11/84
1813	Retirement Analyst	1 YEAR	06/11/84
1814	Asst Actuary	1 YEAR	04/20/81
1815	Management Aide, Retirement System	1 YEAR	06/11/84
1818	Management Info Systems Specialist II	1 YEAR	06/11/84
1819	Management Info Systems Specialist III	1 YEAR	06/11/84
1821	Management Info Systems Mgr	1 YEAR	06/11/84
1822	Administrative Analyst	1 YEAR	04/20/81
1823	Sr Administrative Analyst	1 YEAR	04/20/81
1824	Principal Administrative Analyst	1 YEAR	04/20/81
1825	Management Analyst	1 YEAR	04/20/81
1826	City Shop Fleet Administrator	1 YEAR	01/23/89
1828	Sr Associate Budget Analyst	1 YEAR	04/20/81
1829	Operations Analyst	1 YEAR	04/20/81
1831	Legislative Aide, Board of Supvrs	1 YEAR	06/11/84
1832	Business Mgr, City College	1 YEAR	04/20/81
1837	Legislative Policy Analyst	1 YEAR	03/02/92
1838	Admin Asst to the Ex Dir, HSS	1 YEAR	04/20/81
1839	Water Conservation Administrator	1 YEAR	06/01/87
1841	Rate Administrator	1 YEAR	03/02/92
1846	Ex Asst, Mayor's Office	1 YEAR	04/20/81
1847	Ex Aide to the Mayor's OFfice	1 YEAR	04/20/81
1849	Mayor's Program Mgr	1 YEAR	04/20/81
1850	Senior EDP Auditor	1 YEAR	03/02/92
1851	Mayor's Sr Program Mgr	1 YEAR	04/20/81
1852	Capital Program Manager	1 YEAR	03/02/92
1859	Asst to the Dir of Information	1 YEAR	04/20/81
1860	Computer Operations Support Supvr	1 YEAR	04/20/81
1862	Systems and Procedures Analyst	1 YEAR	04/20/81
1864	Sr Systems and Procedures Analyst	1 YEAR	04/20/81
1865	Systems and Proc Supvr, Special Project	1 YEAR	11/15/82
1866	Systems and Procedures Supvr	1 YEAR	04/20/81
1870	Programmer Analyst Trainee	1 YEAR	06/11/84
1871	Asst Systems Programmer	1 YEAR	06/11/84
1872	Programmer Analyst	1 YEAR	04/20/81
1873	Systems Programmer	1 YEAR	04/20/81
1874	Sr Programmer Analyst	1 YEAR	04/20/81
1875	Sr Systems Programmer	1 YEAR	04/20/81
1876	Data Processing Prog & Systems Supvr	1 YEAR	04/20/81
1877	Supervising Systems Programmer	1 YEAR	04/20/81
1878	Information System Audit Manager	1 YEAR	03/02/92
1880	Chief of Systems	1 YEAR	04/20/81
1881	Asst Dir, Systems and Data Processing	1 YEAR	04/20/81

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
1248	Asst Division Mgr, Personnel	1 YEAR	12/15/80
1270	Departmental Personnel Officer	1 YEAR	12/15/80
1272	Sr Departmental Personnel Officer	1 YEAR	12/15/80
1274	Dir, Bureau of Personnel and Safety	1 YEAR	12/15/80
1276	Departmental Personnel Dir	1 YEAR	12/15/80
1277	Asst Div Mgr, Salary STand and Empl Rel	1 YEAR	12/15/80
1278	Division Mgr, Personnel	1 YEAR	12/15/80
1279	Chief of Technical Selection Svcs	1 YEAR	12/15/80
1284	Asst Secretary, Civil Service Commission	1 YEAR	12/15/80
1288	Asst Gen Mgr, Personnel	1 YEAR	12/15/80
1312	Public Information Officer	1 YEAR	04/20/81
1314	Public Relations Officer	1 YEAR	04/20/81
1336	Asst to the Gen Mgr, Rec and Park Dept	1 YEAR	04/20/81
1435	Shelter Officer Supervisor	1 YEAR	02/04/91
1454	Ex Secretary III	1 YEAR	06/11/84
1473	Elections Planning Asst Supvr	1 YEAR	04/20/81
1492	Asst Clerk, Board of Supvrs	1 YEAR	04/20/81
1530	Administrative Secretary to the Mayor	1 YEAR	06/11/84
1540	Secretary, Fire Commission	1 YEAR	04/20/81
1546	Secretary, Commission on the Aging	1 YEAR	04/20/81
1550	Ex Asst to the Board of Education	1 YEAR	04/20/81
1565	Asst Dir, Art Commission	1 YEAR	04/20/81
1574	Ex Secretary to the Controller	1 YEAR	04/20/81
1650	Accountant	1 YEAR	04/20/81
1652	Sr Accountant	1 YEAR	12/15/80
1654	Principal Accountant	1 YEAR	12/15/80
1655	Systems Accountant	1 YEAR	12/15/80
1656	Head Accountant	1 YEAR	12/15/80
1657	Sr Systems Accountant	1 YEAR	12/15/80
1658	Chief Accountant	1 YEAR	12/15/80
1661	Asst Fiscal Officer Board of Education	1 YEAR	12/15/80
1665	Director of Patient Accounts	1 YEAR	03/02/92
1666	Finance Dir, Dept of Public Health	1 YEAR	12/15/80
1673	Accounting Operations Manager	1 YEAR	03/02/92
1674	Director of Accounting and Systems	1 YEAR	03/02/92
1675	Supervising Fiscal Officer	1 YEAR	12/15/80
1678	Financial Operations Dir	1 YEAR	06/07/82
1679	Financial Reports Specialist	1 YEAR	12/15/80
1680	Chief Asst Controller	1 YEAR	12/15/80
1683	Budget and Fiscal Operations Manager	1 YEAR	03/02/92
1684	Associate Auditor	1 YEAR	06/11/84
1686	Supervising Auditor	1 YEAR	06/11/84
1688	Chief Auditor	1 YEAR	03/02/92
1690	Internal Audit Director	1 YEAR	03/02/92
1738	Computer Operations Shift Supvr	1 YEAR	06/11/84
1739	Computer Operations Supvr II	1 YEAR	04/20/81
1741	Computer Operations Supvr I	1 YEAR	06/11/84
1776	Assistant Reproduction Services Manager	1 YEAR	03/02/92

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
1882	Dir, Systems and Data Processing	1 YEAR	04/20/81
1890	Mgr, Data Processing, SFUSD	1 YEAR	04/20/81
1896	Dir, Welfare Audits	1 YEAR	06/11/84
1898	Ex Deputy for Prog and Fiscal Admin	1 YEAR	04/20/81
1937	Supervising Parts Storekeeper	1 YEAR	01/23/89
1939	Schools Warehouse Supvr	1 YEAR	06/11/84
1940	Stores and Equipment Supvr	1 YEAR	04/20/81
1944	Materials Coordinator	1 YEAR	01/28/85
1950	Asst Purchaser	1 YEAR	06/11/84
1952	Purchaser	1 YEAR	04/20/81
1954	Purchaser, Printing	1 YEAR	04/20/81
1956	Sr Purchaser	1 YEAR	04/20/81
1958	Supervising Purchaser	1 YEAR	04/20/81
2116	Associate Dir, Medical Records	1 YEAR	06/07/82
2117	Chief Medical Records Administrator	1 YEAR	01/23/89
2118	Dir, Medical Records	1 YEAR	11/15/82
2119	Health Care Analyst	1 YEAR	06/07/82
2120	Institutional Admitting Officer	1 YEAR	06/11/84
2122	Dir of Patient Financial Svcs & Admissions	1 YEAR	01/23/89
2124	Dir of Admissions, SFGH	1 YEAR	11/15/82
2140	Hospital Administrative Asst	1 YEAR	06/07/82
2143	Hospital Asst Administrator	1 YEAR	11/15/82
2171	Medical Dir, Laguna Honda Hospital	1 YEAR	11/15/82
2212	Dir, Dental Division	1 YEAR	11/15/82
2232	Sr Physician Specialist	1 YEAR	11/15/82
2233	Supervising Physician Specialist	1 YEAR	11/29/82
2234	District Health Officer	1 YEAR	11/15/82
2235	Medical Director, Department of Public Health	1 YEAR	03/02/92
2246	Asst Dir of Clinical Svcs I	1 YEAR	11/29/82
2248	Asst Dir of Clinical Svcs II	1 YEAR	11/29/82
2250	Dir of Clinical Svcs	1 YEAR	11/15/82
2290	Zoo Veterinarian	1 YEAR	06/07/82
2292	Shelter Veterinarian	1 YEAR	02/04/91
2322	Head Nurse	1 YEAR	06/07/82
2324	Nursing Supvr	1 YEAR	06/07/82
2326	Nursing Supvr Psychiatric	1 YEAR	06/07/82
2342	Head Nurse, Surgery	1 YEAR	06/07/82
2350	Instructor of Nursing	1 YEAR	06/07/82
2352	Asst Dir of Nursing, Staff Devel & Research	1 YEAR	11/15/82
2366	Asst Dir of Nurses, LHH	1 YEAR	11/15/82
2368	Asst Dir of Nurses, SFGH	1 YEAR	11/15/82
2369	Dir of Nurese, LHH	1 YEAR	11/15/82
2370	Dir of Nurese, SFGH	1 YEAR	11/15/82
2394	Central Processing and Dist Supvr	1 YEAR	06/07/82
2432	Electrocardiograph Technician	1 YEAR	06/11/84
2434	Sr Electrocardiograph Technician	1 YEAR	06/11/84
2436	Electronecephalograph Technician I	1 YEAR	06/11/84
2437	Electroencephalograph Technicial II	1 YEAR	06/11/84

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
2440	Veterinary Laboratory Technologist	1 YEAR	06/11/84
2444	Clinical Laboratory Technologist	1 YEAR	06/07/82
2446	Sr Clinical Laboratory Technologist	1 YEAR	06/07/82
2451	Sr Pharmacist, Laguna Honda Hospital	1 YEAR	06/07/82
2452	Dir of Pharmaceutical Svcs	1 YEAR	06/07/82
2453	Supervising Pharmacist	1 YEAR	01/28/85
2454	Clinical Pharmacist	1 YEAR	06/07/82
2455	Pharmacy Director, LHH	1 YEAR	01/23/89
2456	Asst Forensic Toxicologist I	1 YEAR	06/07/82
2457	Asst Forensic Toxicologist II	1 YEAR	01/23/89
2458	Forensic Toxicologist	1 YEAR	06/07/82
2459	Forensic Laboratory Manager	1 YEAR	03/02/92
2462	Microbiologist	1 YEAR	06/07/82
2464	Sr Microbiologist	1 YEAR	06/07/82
2465	Virologist	1 YEAR	11/15/82
2466	Chief Microbiologist	1 YEAR	11/15/82
2480	Supvr of Labs, Water Quality Control	1 YEAR	04/20/81
2490	Public Health Clinical Toxicologist III	1 YEAR	11/15/82
2492	Dir, Public Health Laboratories	1 YEAR	11/15/82
2496	Radiologic Technologist Supervisor	1 YEAR	06/18/90
2498	Director, Radiology	1 YEAR	06/18/90
2534	Paramedic Supvr	1 YEAR	11/15/82
2535	Chief, Paramedic Division	1 YEAR	11/15/82
2540	Audiologist	1 YEAR	01/28/85
2552	Dir of Activities, Therapy & Volunteer Svcs	1 YEAR	06/07/82
2553	Director of Volunteer Services	1 YEAR	03/02/92
2556	Physical Therapist	1 YEAR	06/07/82
2559	Director of Activity Therapy	1 YEAR	03/02/92
2561	Optometrist	1 YEAR	06/07/82
2565	Acupuncturist	1 YEAR	01/28/85
2576	Supervising Clinical Psychologist	1 YEAR	06/07/82
2581	Administrative Coroner	1 YEAR	11/15/82
2584	Chief Medical Examiner - Coroner	1 YEAR	11/15/82
2589	Health Program Coordinator I	1 YEAR	06/07/82
2591	Health Program Coordinator II	1 YEAR	06/07/82
2593	Health Program Coordinator III	1 YEAR	06/07/82
2596	Employee Referral Program Dir	1 YEAR	06/07/82
2620	Food Service Manager Administrator	1 YEAR	01/23/89
2638	Dir of Food Svcs, SFUSD	1 YEAR	11/15/82
2660	Administrative Chef	1 YEAR	11/15/82
2662	Dir of Food Svcs	1 YEAR	01/28/85
2732	School Custodial Svcs, Supvr II	1 YEAR	06/07/82
2782	Laundry Supt	1 YEAR	06/07/82
2785	Asst Gen Svcs Mgr	1 YEAR	06/07/82
2786	Gen Svcs Mgr	1 YEAR	11/15/82
2806	Disease Control Investigator	1 YEAR	05/05/86
2808	Sr Disease Control Investigator	1 YEAR	06/07/82
2810	Principal Disease Control Invesgator	1 YEAR	03/02/92

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
2816	Chief, Bureau of Records and Statistics	1 YEAR	11/15/82
2818	Health Program Planner	1 YEAR	06/07/82
2820	Sr Health Program Planner	1 YEAR	06/07/82
2821	Dir of Health Program Planning	1 YEAR	01/28/85
2824	Chief, Bureau of Health Education	1 YEAR	11/15/82
2825	Sr Health Educator	1 YEAR	06/07/82
2832	Supervising Public Health Nurse	1 YEAR	06/07/82
2833	Public Health Nurse Administrator	1 YEAR	06/07/82
2836	Dir of Public Health Nursing	1 YEAR	11/15/82
2846	Nutritionist	1 YEAR	06/07/82
2880	Dir of Business & Operations, Mental Health Prog	1 YEAR	03/02/92
2883	Assoc Director, AIDS Program	1 YEAR	01/23/89
2885	Dpty Dir of Adult Svcs, Comm Mental Health	1 YEAR	11/15/82
2894	Program Chief, Comm Public Health Svcs	1 YEAR	11/15/82
2895	Deputy Dir for Mental Health Programs	1 YEAR	11/15/82
2897	Dpty Dir for Prog Plann,Dev,Research & Eval	1 YEAR	11/15/82
2906	Social Worker TRainee	1 YEAR	06/11/84
2907	Eligibility Worker Supervisor	9 MOS	04/06/87
2910	Social Worker	1 YEAR	08/17/81
2911	Eligibility Appeals Specialist	1 YEAR	08/17/81
2912	Sr Social Worker	1 YEAR	08/17/81
2924	Medical Social Work Supvr	1 YEAR	06/11/84
2925	Chief Medical Social Svcs	1 YEAR	11/15/82
2940	Child Welfare Worker	9 MOS	04/06/87
2946	Sr Eligibility Worker Supvr	9 MOS	04/06/87
2947	Hospital Eligibility Manager, DSS	1 YEAR	03/02/92
2950	Social Service Division Supvr	1 YEAR	11/15/82
2951	Community Svcs Coordinator	1 YEAR	11/15/82
2953	Deputy General Manager, DSS	1 YEAR	03/02/92
2965	Social Services Resource Manager	1 YEAR	03/02/92
2969	Asst Dir, Social Service Programs	1 YEAR	11/15/82
2970	Dir, Administrative SVcs, DSS	1 YEAR	11/15/82
2971	Dir, Social Service Programs	1 YEAR	11/15/82
2973	Asst Gen Mgr, Department of Social Svcs	1 YEAR	11/15/82
2977	Education Integration Specialist	1 YEAR	06/11/84
2978	Contract Compliance Officer II	1 YEAR	06/11/84
2979	Student Assignment Mgr, Bd of Education	1 YEAR	06/11/84
2980	Specialist II, Human Rights Commission	1 YEAR	01/28/85
2981	Manager, Intake Center, SFUSD	1 YEAR	01/23/89
2982	Rent Board Supvr	1 YEAR	01/28/85
2984	Deputy Director, Human Rights Commission	1 YEAR	03/02/92
2985	Deputy Dir, Commission on the Aging	1 YEAR	06/11/84
2991	Coordinator, Human Rights Commission	1 YEAR	06/11/84
2992	Contract Compliance Officer I	1 YEAR	06/11/84
2993	Asst to the Dir, Commission on the Aging	1 YEAR	06/11/84
2995	Affirmative Action Officer, HRC	1 YEAR	06/11/84
2996	Representative, Human Rights Commission	1 YEAR	06/11/84

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
3104	Business Mgr, Recreation and Park Dept	1 YEAR	01/28/85
3115	Ex Asst to Gen Mgr, Rec and Park Dept	1 YEAR	01/28/85
3135	Director Neighborhoid Services, Rec and Park	1 YEAR	03/02/92
3137	Asst Gen Mgr for Finance & Property, Rec and Park	1 YEAR	03/02/92
3138	Asst Gen Mgr for Administration	1 YEAR	01/28/85
3216	Asst Aquatic Supvr	1 YEAR	08/17/81
3228	Asst Dir, Golf Course Operations	1 YEAR	08/17/81
3231	Golf Program Director	1 YEAR	01/23/89
3234	Marina Mgr	1 YEAR	11/15/82
3257	Sr Photography Instructor	1 YEAR	08/17/81
3262	Curator of Industrial Arts, Jr Museum	1 YEAR	08/17/81
3292	Asst Supt Recreation	1 YEAR	11/15/82
3321	Sr Animal Keeper	1 YEAR	08/17/81
3322	Asst Head Animal Keeper	1 YEAR	08/17/81
3324	Head Animal Keeper	1 YEAR	08/17/81
3338	Asst Zoo Dir, Operations and Maintenance	1 YEAR	03/02/92
3339	Asst Zoo Director, Animal Management	1 YEAR	03/02/92
3342	Zoologist	1 YEAR	08/17/81
3360	Curator of Zoological Exhibits	1 YEAR	08/17/81
3371	Animal Care Supervisor	1 YEAR	02/04/91
3372	Animal Control Officer	1 YEAR	02/04/91
3373	Animal Control Supervisor	1 YEAR	02/04/91
3374	Volunteer Coordinator, Animal Care and Control	1 YEAR	02/04/91
3426	Urban Forester	1 YEAR	01/28/85
3438	Tree Topper Supvr II	1 YEAR	01/28/85
3440	Landscaping and Street Planting Supvr	1 YEAR	11/15/82
3453	Asst Agric Commissioner-Sealer of Weights	1 YEAR	11/15/82
3456	County Agric Comm & Sealer of Weights	1 YEAR	11/15/82
3464	Area Supvr, Parks, Squares and Facilities	1 YEAR	06/11/84
3466	Asst Supt, Parks, Squares and Facilities	1 YEAR	11/15/82
3470	Dir of Marketing & Operations, Candlestick Park	1 YEAR	03/02/92
3484	Agricultural Division Land Agent	1 YEAR	08/17/81
3486	Watershed Forester	1 YEAR	06/01/87
3488	Watershed Resources Manager	1 YEAR	06/01/87
3518	Associate Museum Conservator, Asian Art Museum	1 YEAR	03/02/92
3525	Chief Museum Preparator	1 YEAR	08/17/81
3528	Museum Conservator	1 YEAR	08/17/81
3529	Mus Conserv-Avery Brundage Coll/Asian Art	1 YEAR	08/17/81
3532	Program Manager, KALW	1 YEAR	02/05/90
3533	General Manager, KALW Radio Station	1 YEAR	02/05/90
3548	Curator of Natural Science, Junior Museum	1 YEAR	08/17/81
3563	Dir, Neighborhood Arts Proj, Art Commission	1 YEAR	03/02/92
3589	Asst Dir, Admin, Center of Asian Art	1 YEAR	08/17/81
3638	Chief Librarian	1 YEAR	11/15/82
3640	Coordinator, Children's Library Activities	1 YEAR	11/15/82
3642	Coordinator, Adult Library Svcs	1 YEAR	11/15/82

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
3650	Medical Records Librarian	1 YEAR	01/28/85
3668	Asst City Librarian	1 YEAR	01/28/85
4110	Rental Property Supvr	1 YEAR	08/17/81
4130	Convention Facilities Asst Mgr	1 YEAR	11/15/82
4140	Real Property Officer	1 YEAR	08/17/81
4142	Sr Real Property Officer	1 YEAR	08/17/81
4143	Principal Real Property Officer	1 YEAR	08/17/81
4144	Asst Dir of Property	1 YEAR	11/15/82
4150	Dir of Property	1 YEAR	11/15/82
4160	Real Property Loan Officer	1 YEAR	08/17/81
4210	Asst Chief, Technical & Assessment Svcs	1 YEAR	06/11/84
4212	Chief, Technical and Assessment Svcs	1 YEAR	11/15/82
4225	Asst Chief Personal Property Auditor	1 YEAR	11/15/82
4226	Chief Personal Property Auditor	1 YEAR	11/15/82
4230	Estate Investigator	1 YEAR	06/11/84
4231	Senior Estate Investigator	1 YEAR	01/23/89
4256	Chief of Assessment Standards	1 YEAR	11/15/82
4260	Real Property Appraisal Trainee	1 YEAR	03/19/90
4261	Real Property Appraiser	1 YEAR	06/11/84
4265	Sr Real Property Appraiser	1 YEAR	08/17/81
4267	Principal Real Property Appraiser	1 YEAR	08/17/81
4268	Asst Chief Real Property Appraiser	1 YEAR	11/15/82
4269	Chief Appraiser	1 YEAR	11/15/82
4270	Prin Appraiser (Special Valuations)	1 YEAR	08/17/81
4294	Adminiatrator, Assessment Apepals Board	1 YEAR	08/17/81
4310	Commercial Division Asst Supvr	1 YEAR	06/11/84
4311	Commercial Division Supvr	1 YEAR	06/11/84
4331	Security Analyst	1 YEAR	08/17/81
4332	Portfolio Manager	1 YEAR	08/17/81
4349	Dir of Real Estate, Tax Coll Office	1 YEAR	11/15/82
4368	Director, Bur of Delinquent Revenue	1 YEAR	09/18/89
4373	Deputy Tax Administrator	1 YEAR	08/17/81
4377	Asst Cash Management and Invest Officer	1 YEAR	01/23/89
4378	Cash Management and Investment Officer	1 YEAR	11/15/82
5102	Public Buildings Maint & Repair Asst Supt	1 YEAR	11/15/82
5104	Public Buildings Maint & Repair Supt	1 YEAR	11/15/82
5106	Asst to Dir of Buildings & Grounds, SFUSD	1 YEAR	01/28/85
5107	Dir of Buildings and Grounds, SFUSD	1 YEAR	01/28/85
5108	Dir, General Services Division, SFUSD	1 YEAR	01/23/89
5111	Deputy for Development	1 YEAR	06/11/84
5112	Asst Dir of Planning - Implement (Zoning)	1 YEAR	11/15/82
5113	Asst Dir of Planning - Plans & Programs	1 YEAR	11/15/82
5115	Deputy Dir of Planning	1 YEAR	11/15/82
5120	Architectural Administrator	1 YEAR	06/07/82
5122	Asst City Architect	1 YEAR	11/15/82
5124	City Architect	1 YEAR	11/15/82
5132	Mgr, Bureau of Water Pollution Control	1 YEAR	11/15/82
5133	Assoc Mgr, Bur of Water Pollution Control	1 YEAR	06/07/82
5134	Depty Mgr, Bur of Water Pollution Control	1 YEAR	11/15/82

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
5135	Asst Supt of Street and Sewer Repair	1 YEAR	12/16/85
5136	Supt of Water Treatment Facilities	1 YEAR	12/16/85
5137	Maint Engineering Managerm HHP	1 YEAR	01/23/89
5138	Hetch Hetchy Program Supt of Operations	1 YEAR	11/15/82
5139	Deputy General Manager, HHP	1 YEAR	01/23/89
5149	Supt of Water Treatment Facilities	1 YEAR	11/15/82
5150	Asst Division Mgr, Alameda Division	1 YEAR	11/15/82
5154	Asst Division Mgr, Peninsula Operations	1 YEAR	11/15/82
5156	Division Mgr, Suburban Operations	1 YEAR	11/15/82
5158	City Distribution Division Asst Mgr	1 YEAR	11/15/82
5160	City Distribution Division Mgr	1 YEAR	11/15/82
5161	Water Purification Asst Division Mgr	1 YEAR	11/15/82
5162	Water Purification Division Mgr	1 YEAR	11/15/82
5164	Water Resources & Planning Manager	1 YEAR	03/02/92
5165	Deputy Gen Mgr, Oper and Maint, Water Dept	1 YEAR	01/28/85
5170	Street Cleaning and Planting Supt	1 YEAR	11/15/82
5173	Street Cleaning and Planting Asst Supt	1 YEAR	11/15/82
5176	Chief Valuation and Rate Engineer	1 YEAR	11/15/82
5177	Safety Officer	1 YEAR	11/15/82
5178	Asst Supt, Property Conservation	1 YEAR	11/15/82
5179	Asst Supt, Building Inspection Admin.	1 YEAR	11/15/82
5183	Deputy Supt, Building Inspection	1 YEAR	11/15/82
5184	Supt of Bldg Inspect & Property Conserv	1 YEAR	11/15/82
5186	Asst Dir of Public Works, Admin	1 YEAR	06/07/82
5187	Ex Dir, Clean Water Program	1 YEAR	11/15/82
5209	Industrial Engineer	1 YEAR	06/11/84
5210	Sr Civil Engineer	1 YEAR	11/15/82
5212	Principal Engineer	1 YEAR	11/15/82
5217	Building Code Analyst	1 YEAR	06/07/82
5219	Sr Structural Engineer	1 YEAR	11/15/82
5224	Associate Water Purification Engineer	1 YEAR	06/07/82
5232	Sr Traffic Engineer	1 YEAR	11/15/82
5233	Principal Traffic Engineer	1 YEAR	11/15/82
5242	Sr Electrical Engineer	1 YEAR	11/15/82
5246	Radio Engineer	1 YEAR	06/07/82
5249	Sr Sanitary Engineer	1 YEAR	11/15/82
5258	Sr Mechanical Engineer	1 YEAR	11/15/82
5260	Architectural Asst I	1 YEAR	06/07/82
5261	Architectural Asst II	1 YEAR	06/07/82
5265	Architectural Associate I	1 YEAR	06/07/82
5266	Architectural Associate II	1 YEAR	06/07/82
5267	Asst Airport Noise Abatement Officer	1 YEAR	01/28/85
5268	Architect	1 YEAR	06/07/82
5269	School Architectural Coordinator	1 YEAR	06/07/82
5270	Sr Architect	1 YEAR	06/07/82
5273	Principal Architect	1 YEAR	11/15/82
5281	Planner III - Administrative	1 YEAR	06/07/82
5285	Airport Noise Abatement Officer	1 YEAR	11/15/82

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
5286	Administrator, Property Conservation Div	1 YEAR	11/15/82
5297	Planner V (ZONING)	1 YEAR	06/07/82
5298	Planner III-Environmental Review	1 YEAR	06/07/82
5299	Planner IV-Environmental Review	1 YEAR	06/07/82
5301	Supvr, Traffic Painting Program	1 YEAR	01/28/85
5312	Surveyor	1 YEAR	06/07/82
5314	Survey Party Chief	1 YEAR	06/07/82
5330	City Planning Graphics Supvr	1 YEAR	06/07/82
5402	Dir of Community Development	1 YEAR	06/11/84
5404	Special Asst for Program Development	1 YEAR	06/11/84
5620	Regulatory Specialist	1 YEAR	10/05/92
6116	Supervising Waste Water Control Inspector	1 YEAR	01/23/89
6120	Environmental Health Inspector	1 YEAR	06/07/82
6122	Sr Environmental Health Inspector	1 YEAR	06/07/82
6124	Principal Environmental Health Inspector	1 YEAR	06/07/82
6126	Dir, Bureau of Environmental Health Svcs	1 YEAR	11/15/82
6127	Asst Dir, Bur of Environ Health Svcs	1 YEAR	11/15/82
6140	Hazardous Materials Permit Program Mgr	1 YEAR	01/23/89
6141	Manager, Office of Health and Safety	1 YEAR	03/02/92
6144	Dir of Toxics and Safety Services	1 YEAR	03/02/92
6216	Sewer Safety Inspector	1 YEAR	06/07/82
6218	Inspector of Weights and Measures Trainee	1 YEAR	01/23/89
6235	Heating and Ventilating Inspector	1 YEAR	06/07/82
6236	Boiler Inspector	1 YEAR	06/07/82
6238	Sr Boiler Inspector	1 YEAR	06/07/82
6242	Plumbing Inspector	1 YEAR	06/07/82
6244	Chief Plumbing Inspector	1 YEAR	06/07/82
6248	Electrical Inspector	1 YEAR	06/11/84
6249	Sr Electrical Inspector	1 YEAR	06/11/84
6250	Chief Electrical Inspector	1 YEAR	06/11/84
6252	Line Inspector	1 YEAR	06/11/84
6318	Construction Inspector	1 YEAR	06/07/82
6331	Building Inspector	1 YEAR	06/07/82
6336	Property Rehabilitation Mgr	1 YEAR	06/11/84
6340	School Construction Coordinator	1 YEAR	06/07/82
7102	Maintenance and Repair Asst Supt, HHP	1 YEAR	11/15/82
7110	Mobile Equipment Asst Supvr	1 YEAR	01/28/85
7120	Buildings and Grounds Maint Supt	1 YEAR	11/15/82
7123	Machine Shop and Parking Meter Supt	1 YEAR	06/07/82
7124	Maintenance and Repair Supt, HHP	1 YEAR	11/15/82
7125	Electrical Operation and Maint Supt, HHP	1 YEAR	11/15/82
7126	Mechanical Shop and Equipment Supt	1 YEAR	11/15/82
7128	Power House Supt	1 YEAR	06/07/82
7130	Gen Supt, Facilities Maintenance	1 YEAR	06/07/82
7131	Electrical Maint and Construction Supt	1 YEAR	11/15/82
7132	Telecommunication Supvr	1 YEAR	06/07/82
7134	Water Construction and Maint Supt	1 YEAR	11/15/82
7136	Water Shops and Equipment Supt	1 YEAR	11/15/82
7140	Dir, Parking and Traffic Operations	1 YEAR	03/02/92

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
7150	City Shops Gen Supt	1 YEAR	11/15/82
7202	Asst Park Supt for Structual Maint	1 YEAR	11/15/82
7203	Buildings and Grounds Maintenance Supvr	1 YEAR	06/07/82
7204	Chief Water Service INspector	1 YEAR	06/07/82
7205	Chief Stationary Engineer	1 YEAR	06/07/82
7208	Heavy Equipment Operations Supvr	1 YEAR	06/07/82
7209	School Heating and Ventilating Supvr	1 YEAR	06/07/82
7210	Mobile Equipment Supvr	1 YEAR	01/28/85
7213	Plumber Supvr I	1 YEAR	06/07/82
7214	Electrical Transit Equipment Supvr	1 YEAR	06/11/84
7216	Electrical Transit Shop Supvr I	1 YEAR	06/11/84
7221	Asphalt Plant Supvr I	1 YEAR	06/07/82
7224	Car and Auto Painter Supvr I	1 YEAR	06/07/82
7225	Transit Paint Shop Supvr I	1 YEAR	06/07/82
7226	Carpenter Supvr I	1 YEAR	06/07/82
7227	Cement Finisher Supvr I	1 YEAR	06/07/82
7230	Fire Department Water System Supvr I	1 YEAR	06/07/82
7232	Hetch Hetchy Mechanical Shop Supvr	1 YEAR	06/11/84
7233	Glazier Supvr I	1 YEAR	06/07/82
7234	Transportation Equipment Shop Supvr	1 YEAR	06/07/82
7235	Transit Power Line Supvr I	1 YEAR	06/11/84
7236	Locksmith Supvr I	1 YEAR	06/07/82
7238	Electrician Supvr I	1 YEAR	06/11/84
7239	Plumber Supvr II	1 YEAR	06/07/82
7240	Water Meter Shop Supvr I	1 YEAR	06/07/82
7242	Painter Supvr I	1 YEAR	06/07/82
7244	Power Plant Supvr I	1 YEAR	06/07/82
7246	Sewer Repair Supvr II	1 YEAR	06/07/82
7247	Sheet Metal Worker Supvr II	1 YEAR	06/07/82
7248	Steamfitter Supvr II	1 YEAR	06/07/82
7250	Utility Plumber Supvr I	1 YEAR	06/07/82
7251	Track Maintenance Worker Supvr I	1 YEAR	06/11/84
7252	Chief Stationary Engineer, Sewage Plant	1 YEAR	06/07/82
7253	Electrical Transit Mechanic Supvr I	1 YEAR	06/11/84
7255	Power House Electrician Supvr I	1 YEAR	06/11/84
7256	Electric Motor Repair Super I	1 YEAR	06/11/84
7257	Communication Line Supvr I	1 YEAR	06/11/84
7258	Maintenance Machinist Supvr I	1 YEAR	06/11/84
7259	Water and Power Maintenance Supvr I	1 YEAR	06/07/82
7262	Maintenance Planner, SFUSD	1 YEAR	01/28/85
7263	Maintenance Mgr, SFUSD	1 YEAR	01/28/85
7272	Carpenter Supvr II	1 YEAR	06/07/82
7273	Communications Line Worker Supvr II	1 YEAR	06/11/84
7274	Transit Power Line Worker Supvr II	1 YEAR	06/11/84
7275	Cable Splicer Supvr I	1 YEAR	06/11/84
7276	Electrician Supvr II	1 YEAR	06/11/84
7277	City Shops Asst Supt	1 YEAR	11/15/82
7278	Painter Supvr II	1 YEAR	06/07/82

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
7279	Powerhouse Electrician Supvr II	1 YEAR	06/11/84
7281	Street Cleaning Supvr II	1 YEAR	06/07/82
7283	Track Maintenance Supt, Muni Railway	1 YEAR	06/07/82
7284	Utility Plumber Supvr II	1 YEAR	06/07/82
7285	Transmission Line Worker Supvr II	1 YEAR	06/11/84
7287	Supervising Electronic Maintenance Tech	1 YEAR	06/11/84
7288	Signal System Maintenance Supt	1 YEAR	06/07/82
7323	Fire Department Water System Asst Supvr	1 YEAR	06/11/84
7329	Electronic Maint Technician Asst Supvr	1 YEAR	06/11/84
7349	Steamfitter Asst Supvr	1 YEAR	06/11/84
7366	Electronic Control Systems Technician	1 YEAR	06/11/84
7374	Chief Engineer, KALW Station	1 YEAR	02/05/90
7386	Utility Plumber Asst Supvr	1 YEAR	06/11/84
7470	Watershed Keeper	1 YEAR	03/19/90
8109	Document Examining Supvr	1 YEAR	01/28/85
8112	Asst Court Clerk	1 YEAR	12/15/80
8113	Court Clerk	1 YEAR	06/07/82
8115	Asst Supervising Court Clerk	1 YEAR	12/15/80
8120	Sr Legislation Clerk	1 YEAR	06/07/82
8124	Investigator, Off of Citizen Complaints	1 YEAR	01/28/85
8126	Sr Invest, Off of Citizen Complaints	1 YEAR	01/28/85
8130	Administrative Asst, Dist Atty's Office	1 YEAR	06/07/82
8144	Psychiatric Invest, Dist Atty's Office	1 YEAR	06/07/82
8145	Principal Public Defender's Investigator	1 YEAR	06/07/82
8166	Workers' Compensation Supvr II	1 YEAR	11/15/82
8167	Workers Compensation Division Manager	1 YEAR	03/02/92
8171	Law Office Manager	1 YEAR	03/02/92
8173	Legal Asst	1 YEAR	06/11/84
8190	Attorney, Tax Collector	1 YEAR	01/28/85
8194	Deputy Dir, Mayor's Crim Justice Council	1 YEAR	11/15/82
8195	Ex Dir, Mayor's Crim Justice Council	1 YEAR	11/15/82
8205	Institutional Police Sergeant	1 YEAR	06/07/82
8206	Institutional Police Captain	1 YEAR	06/07/82
8209	Institutional Police Lieutenant	1 YEAR	06/07/82
8210	Head Park Patrol Officer	1 YEAR	06/07/82
8213	Police Svcs Aide	1 YEAR	06/07/82
8216	Sr Parking Control Officer	1 YEAR	08/20/90
8221	Chief, Protective Svcs, PUC	1 YEAR	06/11/84
8230	Chief Museum Guard	1 YEAR	06/07/82
8238	Police Communications Dispatcher	1 YEAR	05/04/87
8239	Sr Police Communications Dispatcher	1 YEAR	06/07/82
8246	Dir, Emergency Svcs	1 YEAR	11/15/82
8247	Emergency Planning Coordinator	1 YEAR	06/07/82
8260	Criminalist	1 YEAR	06/07/82
8262	Sr Criminalist	1 YEAR	06/07/82
8304	Deputy Sheriff	SEE NOTE B	CHARTER
8306	Sr Deputy Sheriff	SEE NOTE B	CHARTER
8308	Sheriff's Sergeant	SEE NOTE B	CHARTER
8310	Sheriff's Lieutenant	SEE NOTE B	CHARTER

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
8312	Sheriff's Captain	SEE NOTE B	CHARTER
8314	Chief Deputy Sheriff	SEE NOTE B	CHARTER
8322	Sr Counselor, Juvenile Hall	1 YEAR	06/07/82
8323	Sr Counselor, Boys Ranch School	1 YEAR	06/07/82
8324	Supervising Counselor, Juv Ct	1 YEAR	06/07/82
8326	Asst Dir, Boys Ranch School	1 YEAR	11/15/82
8330	Dir, Log Cabin Ranch	SEE NOTE C	11/15/82
8336	Mgr, Finance & Admin, Juv Ct	SEE NOTE C	11/15/82
8340	Asst Dir, Juvenile Hall	1 YEAR	11/15/82
8344	Dir, Juvenile Hall	1 YEAR	11/15/82
8415	Sr Supervising Probation Off, Juv Ct	1 YEAR	11/15/82
8416	Dir, Probation Services	SEE NOTE C	11/15/82
8419	Prisoner Svcs Counselor	1 YEAR	06/07/82
8420	Rehabilitation Svcs Coordinator	1 YEAR	06/07/82
8423	Neighborhood Coordinator	1 YEAR	06/07/82
8424	Sr Neighborhood Coordinator	1 YEAR	06/07/82
8425	Project Coordinator, SAFE	1 YEAR	06/07/82
8435	Division Director, Adult Probation	1 YEAR	11/15/82
8440	Probation OFficer	1 YEAR	06/16/86
8442	Sr Probation Officer	1 YEAR	06/16/86
8446	Court Alternative Specialist I	1 YEAR	06/11/84
8448	Count Alternative Specialist II	1 YEAR	06/07/82
8450	Criminal Justice Specialist I	1 YEAR	11/15/82
8452	Criminal Justice Specialist II	1 YEAR	11/15/82
8454	Criminal Justice Specialist III	1 YEAR	06/07/82
8464	Asst Secretary, County Parole Comm	1 YEAR	06/11/84
8470	Ex Dir, County Parole Commission	1 YEAR	11/15/82
8486	Asst Dir, Crime PRevention Program	1 YEAR	01/23/89
8488	Dir, Crime Prevention Program	1 YEAR	01/28/85
9139	Transit Supvr	1 YEAR	08/17/81
9140	Transit Mgr I	1 YEAR	08/17/81
9141	Transit Mgr II	1 YEAR	08/17/81
9142	Transit Mgr III	1 YEAR	08/17/81
9148	Dir of Community Affairs, MUNI	1 YEAR	03/02/92
9155	Claims Investigator	1 YEAR	06/07/82
9156	Sr Claims Investigator	1 YEAR	06/07/82
9157	Claims Adjuster	1 YEAR	06/07/82
9158	Asst Claims Agent	1 YEAR	06/07/82
9159	Gen Claims Agent	1 YEAR	11/15/82
9161	General Claims Agent	1 YEAR	03/02/92
9173	Systems Safety Inspector	1 YEAR	06/07/82
9177	Dir of Systems Safety	1 YEAR	11/15/82
9178	School Transportation Supvr	1 YEAR	06/07/82
9183	Deputy Gen Mgr, Engineer and Maint, Muni	1 YEAR	11/15/82
9185	Deputy Gen Mgr, Equipment Maint, Muni	1 YEAR	06/11/84
9188	Transit Equipment Engineer, Muni Railway	1 YEAR	06/07/82
9189	Dir of Planning, Municipal Railway	1 YEAR	11/15/82
9191	Deputy Gen Mgr, Operations, Muni Railway	1 YEAR	11/15/82

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
9192	Transit Environmental Coordinator	1 YEAR	06/07/82
9193	Deputy Gen Mgr, Administration, MUNI	1 YEAR	03/02/92
9195	Light Rail Vehicle Equipment Engineer	1 YEAR	06/07/82
9197	Signal and Systems Engineer	1 YEAR	06/07/82
9205	Airport Communications Coordinator	1 YEAR	06/11/84
9206	Airport Property Specialist I	1 YEAR	11/15/82
9207	Airport Property Specialist II	1 YEAR	11/15/82
9208	Director, Airport Property Management	1 YEAR	03/02/92
9210	Airport Police Officer	12 CAL MOS	CHARTER
9211	Airport Police Sergeant	1 YEAR	08/16/82
9213	Sr Airfield Safety Officer	1 YEAR	06/07/82
9215	Airport Police Lieutenant	1 YEAR	08/16/82
9216	Airport Police Captain	1 YEAR	08/17/81
9217	Deputy Chief, Bur of Airport Police	1 YEAR	06/02/86
9220	Airport Operations Supvr	1 YEAR	06/07/82
9222	Airport Operations Coordinator	1 YEAR	06/07/82
9226	Airport Operations Supt	1 YEAR	11/15/82
9232	Airport Mechanical Maint Supvr	1 YEAR	11/15/82
9241	Airport Electrician Supvr	1 YEAR	06/11/84
9247	Airport Emergency Planning Coordinator	1 YEAR	03/02/92
9248	Airport Facilities Service Mgr	1 YEAR	01/28/85
9252	Airport Maintenance Supt	1 YEAR	11/15/82
9254	Assistant to Director, Bureau of Community Affairs	1 YEAR	03/02/92
9255	Airport Economic Planner	1 YEAR	11/15/82
9256	Airport Asst Gen Mgr, Operations	1 YEAR	11/15/82
9258	Airport Asst Deputy Dir, Bus and Finance	1 YEAR	11/15/82
9260	Airport Asst Dep Dir, Facilities Oper & Maint	1 YEAR	11/15/82
9332	Piledriver Supvr I	1 YEAR	06/07/82
9340	Dredging Supvr	1 YEAR	06/07/82
9342	Ornamental Iron Worker Supvr I	1 YEAR	06/11/84
9344	Roofer Supvr I	1 YEAR	06/07/82
9345	Sheet Metal Supvr I	1 YEAR	06/07/82
9350	Harbor Police Officer	1 YEAR	06/07/82
9358	Crane Mechanic Supervisor	1 YEAR	04/06/86
9359	Asst Supt, Harbor Maint, Cranes	1 YEAR	04/06/86
9360	Construction and Maint Supvr II, Port	1 YEAR	06/07/82
9361	Asst Supt, Harbor Maint, Electrical	1 YEAR	11/15/82
9363	Asst Supt, Harbor Maint, Piers & Wharves	1 YEAR	11/15/82
9364	Supt, Harbor Maintenance and Repair	1 YEAR	11/15/82
9365	Sr Estimator, Heavy Construction, Port	1 YEAR	06/07/82
9367	Operational Systems Engineer, Port	1 YEAR	01/23/89
9373	Manager of Marketing	1 YEAR	10/05/92
9374	Manager, Port Planning and Development	1 YEAR	03/02/92
9376	Market Research Specialist, Port	1 YEAR	06/07/82
9377	Development Feasibility ANalyst, Port	1 YEAR	01/23/89
9378	Development Project Coordinator, Port	1 YEAR	11/19/90
9379	Chief Harbor Engineer	1 YEAR	11/15/82

CLASS NO.	TITLE	LENGTH OF PROBATION PERIOD	DATE OF CSC ACTION
9382	Government and Public Affairs Manager	1 YEAR	10/01/90
9386	Senior Property Manager, Port	1 YEAR	10/05/92
9387	Port Traffic Mgr	1 YEAR	11/15/82
9389	Port Traffic Analyst	1 YEAR	06/11/84
9390	Ex Asst to the Port Dir	1 YEAR	11/15/82
9391	Public Relations Rep, Port of San Francisco	1 YEAR	06/07/82
9392	Regional Trade Promotion Rep, Port	1 YEAR	06/07/82
9393	Sales Mgr, Port of San Francisco	1 YEAR	11/15/82
9394	Mgr of Trade Development and Communications	1 YEAR	06/07/82
9395	Asst Rental Mgr, Port	1 YEAR	06/07/82
9396	Commercial Property Mgr	1 YEAR	11/15/82
9397	Port Development Manager	1 YEAR	06/07/82
9398	Port Planning Manager	1 YEAR	01/23/89
9458	Program Monitor Asst, City Demo Agency	1 YEAR	06/11/84
9702	Employment and Training Specialist I	1 YEAR	06/07/82
9704	Employment and Training Specialist II	1 YEAR	06/07/82
9706	Employment and Training Specialist III	1 YEAR	06/07/82
9708	Employment and Training Specialist IV	1 YEAR	06/07/82
9710	Employment and Training Specialist V	1 YEAR	11/15/82
9714	Dir, Mayor's Office of Employ and Training	1 YEAR	11/15/82
9720	Specialist in Aging I	1 YEAR	06/11/84
9722	Specialist in Aging II	1 YEAR	06/11/84
9724	Specialist in Aging III	1 YEAR	06/07/82

NOTE A:

The probationary period for the entrance uniformed rank of the San Francisco Police Department shall be completed after twelve (12) months' service from the day following completion of the prescribed department field training officer program, but in no case to exceed eighty-four (84) weeks from the date of appointment. (Proposition G amended Charter Section 8.340, 11/6/84)

NOTE B:

The probationary period for the uniformed ranks of the Sheriff's Department shall be completed eighteen (18) calendar months after the date of hire (Proposition H amended Charter Section 8.340, 11/3/87). All periods of absence due to disability leave shall extend the probationary period by the total time of absence. In no other case will the probationary period be extended beyond eighteen (18) calendar months after the date of hire.

NOTE C:

The probationary period for these classes in the Juvenile Probation Department is one year. On May 9, 1990, the Juvenile Probation Commission, acting under the authority of Charter Section 3.699-2, exempted these classes from the civil service provisions of the Charter for an indefinite period of time. The Board of Supervisors approved the action of the Juvenile Probation Commission on July 20, 1990 (File 244-90-1, Resolution 577-90).

RULE 17

STATUS RIGHTS

Section 17.01. GENERAL PRINCIPLES

Status in the City and County service is the right or rights which an employee has to perform certain duties. These rights stem from the examination in which the employee qualified and/or the appointment received, and the duties performed as indicated on official records. The class specification or duties statement in existence at the time for the examination and/or appointment is a basic reference document in determining status rights in a class. An employee has rights to a position in a class, but not to a particular position within such class. The appointing authority has very broad discretion in reassigning an employee from one position to another position in the same class.

Section 17.02. STATUS RIGHTS DETERMINED BY COMMISSION

In cases where status is involved, the Commission shall be responsible for the determination of status rights of employees and eligibles, and it shall by action indicate its determination in accordance with the provisions of this rule.

Section 17.03. RENUMBERING OR RETITLING OF ESTABLISHED CLASSES.

When the reallocation of a position or positions from a former class to a new class represents only the renumbering and/or retitling of the position or positions of the former class, and the class description and/or class specification has been changed to describe more accurately the duties actually being performed, all permanent employees in the former class are continued in the new class. Eligibles on lists in the former class are deemed to have rights to certification for appointment in the new class.

Section 17.04. STATUS RIGHTS UNDER DIFFERENT SITUATIONS

Status in the following situations will be administered as provided by this section:

A. When the duties of a former class have been split off into two or more new classes, or

B. When the duties of two or more former classes have been consolidated into one new class, or

C. When the duties being performed are allocated to a new class for which there is no former civil service class, but the duties, although not specifically described in a former class, have been deemed by classification actions of the Commission made prior to the effective date of this rule to be a part of the duties of the former class, or

D. When status to a new class from a former class is not indicated under the provisions of Section 17.03 and Section 17.04.A, B or C above, and there is no significant difference in the kind and level of difficulty of work of the two classes.

In each of the above situations, the following shall apply:

1. All permanent employees in positions in the former class which have been reallocated to a new class are granted status in positions in the new class as of the effective date of the amendment to the Annual Salary Ordinance establishing such positions in the new class.

2. The remaining employees in the same former class in the same department are granted rights to assignment to positions in the new classes as vacancies occur according to seniority standing in the department.

3. Permanent employees occupying positions in the same former class in other departments are granted the right to transfer to positions in the new class or classes as vacancies occur. Such requests for transfer shall be governed by the provisions of the Transfer Rule.

4. Eligibles on regular civil service lists for the former classes are deemed to have rights to certification for appointment to positions in the new classes after incumbents in various departments have exercised their status rights.

5. In administering Section 17.04.D above, if the difference between the salary ranges of the former class and the new class is more than five (5) percent, a significant difference in kind and level of difficulty of the work shall be deemed to exist. The five percent salary factor shall be measured from the first class from which status was granted, and the employee to whom status has been granted shall have no further status rights under the provisions of Section 17.04.D.

Section 17.05. STATUS IN TWO-LEVEL HIGHER PROMOTIONAL SITUATION

When an employee has been found to be performing the duties of a position allocated to a class two levels higher than the employee's former class, and status has been granted to occupants of positions of the former class in a class one level higher, such positions shall be reallocated to the class one level higher and the employee shall be granted status in the position so reallocated as of the effective date of the amendment to the Annual Salary Ordinance establishing such position; provided however, that such positions will be flagged for reallocation to the higher level and incumbents in such positions will be required to attain eligibility on civil service lists for the higher class within a period of four (4) years. If an employee in such instances is not reached for appointment to the higher class in the aforementioned period of time, the employee shall be reassigned to another position in the class to which the employee has attained status when this can be done without adversely affecting the rights of the person so reassigned as defined in Section 17.01. of this rule.

Section 17.06. STATUS - SPECIAL CASES

A. When a permanent employee has been performing duties not included in any class in the former classification plan, and such duties have been reallocated to a class in the new classification plan, and the employee was performing such duties at the time of the general classification survey started in 1959 and still is performing such duties on the date of the adoption of this rule (August 16, 1962) or the employee, although not performing such duties at the time of the general classification survey, has performed such duties for the period of time set forth under minimum qualifications in the class specification in effect July 1, 1962, and still is performing such duties on the date of the adoption of this rule (August 16, 1962) such employees shall be granted status to positions in the new class as of the effective date of the amendment to the Annual Salary Ordinance establishing such positions.

B. When it can be clearly established by official records in existence prior to the general classification survey started in 1959 that permanent employees who are not now performing such duties have performed them for a period of time set forth under minimum qualifications in the class specification in effect on July 1, 1962, such employees shall be granted rights to appointment to positions in the new class as vacancies occur.

C. Before granting status or status rights under the provisions of this section, the Commission shall determine that the employee generally has the qualifications and training to perform the duties of the position in the new class. Grants of status under the provisions of this action shall be applicable only to the general classification survey recently concluded.

Section 17.07. WHEN COUNTERPARTS IN FORMER CLASSIFICATION PLAN

When a position is to be reallocated from one class to another class, and there were counterparts of both of these classes in the former classification plan, status shall not be granted.

Section 17.08. WAIVER OF STATUS ASSIGNMENT

An employee may waive the right to advancement or assignment under the Status Rule, and may thereafter upon written request, be granted a withdrawal of such waiver with the approval of the General Manager, Personnel. Until such waiver is withdrawn, the employee's right to advancement or assignment shall be deemed to be in abeyance. Failure to accept an advancement or assignment to a vacancy under a status action following such withdrawal of waiver shall terminate all rights to a position in such class under such status action. In cases of temporary, seasonal or recurring status advancements, employees with status rights to so advance shall be given unlimited rights to temporary waiver.

Section 17.09. REASSIGNMENT FROM POSITION HELD BY STATUS ASSIGNMENT

When a permanent employee in a former civil service class has exercised the right to status in one of the new classes resulting from the former class, the employee may thereafter voluntarily accept reassignment from the position to which assigned and be returned to a vacant position in the former class; or if no such vacant position exists,

the employee may be reassigned to a vacancy in another new class to which the employee has status rights, provided that, 1) if this action results in receiving a lesser salary than the employee would receive if the employee had remained in the former class, the Commission shall reallocate the position to the former class in the next succeeding regular Salary Ordinance amendment, and 2) the restoration of the position shall be effected by the Commission not later than six (6) months after such voluntary assignment. Said voluntary reassignment shall terminate status rights with respect to positions in the class from which voluntarily reassigned.

Section 17.10. TERMINATION OF PROBATIONARY APPOINTMENT OF TRANSFEREE BY STATUS

When a permanent employee in a former civil service class has exercised the right to status in one of the new classes resulting from the former class by transfer, and the probationary appointment is terminated by the appointing officer, the employee's reassignment shall be governed by the provisions of this section in the same manner as if the employee had voluntarily requested same.

Section 17.11. WHEN APPOINTEE NOT AVAILABLE FOR STATUS ASSIGNMENT

When a vacancy exists or is anticipated in any department to which an employee has rights to advance under the Status Rule, and there is no employee in the department in which the vacancy exists who wishes to exercise the right to advancement to said vacancy, the appointing officer shall enter such information on the requisition.

Section 17.12. DISABILITY TRANSFERS AND STATUS RIGHTS

A. Employees occupying positions under special authority of Section 8.350(a) of the Charter and the Transfer Rule, do not have status rights as provided in the previous sections of this rule, but such employees shall be governed by the provisions of this section.

B. When a permanent civil service employee has transferred to a position in another class in accordance with the disability transfer provisions of the Charter and Rules of the Commission and the position to which transferred is reallocated to another class in accordance with the recommendations of the general classification survey and status is granted in positions as reallocated; the employee's status shall continue under the new class title, subject to the salary limitations provided in Section 8.350(a) of the Charter. If such employee desires reassignment from the position in the class to which currently assigned to a position in another class resulting from the general classification survey, ıch request for reassignment shall be submitted on forms and in accordance with the procedure as provided in the Transfer Rule; provided that, if in the opinion of the General Manager, Personnel, further certification by the employee's personal physician would not be required, such certification may be waived.

Section 17.13. SALARY STEP PLACEMENT RESULTING FROM STATUS GRANT

Permanent employees who are granted status in another class where the compensation schedule is higher than the current class shall be placed at the salary step in the new class which represents a salary closest to but not lower than, the salary in the former class.

RULE 18

EMPLOYEE RELATIONS - GRIEVANCE PROCEDURE

Section 18.01. PROGRAM SCOPE AND PRINCIPLES

These rules and regulations are promulgated in order to improve employer-employee relations and are designed to permit any employee and/or the employee's representative as herein provided, a procedural method by which any grievance, as defined in Section 18.02, may be resolved in an expeditious and orderly manner.

Section 18.02. DEFINITIONS

A. A grievance shall be any dispute concerning the interpretation or application of the provisions of a memorandum of understanding, or in the absence of a memorandum of understanding, a dispute concerning department rules and regulations governing personnel practices or working conditions. The written grievance must state the circumstances on which the grievant claims to be aggrieved and the redress the grievant seeks. Grievances shall be considered only on matters within the power of the appointing officer to act.

EXCLUSIONS: Civil Service

1. No grievance shall be considered on position classification, examination or other civil service matters where Charter authority or Civil Service Commission Rules provide a different appellate process.

2. No grievance shall be considered on disciplinary actions where a different appellate process is provided for under the Charter.

3. No grievance shall be considered on items subject to the meet and confer process where the ordinance provides a different appellate process.

4. No grievance shall be considered on performance evaluation. Under Section VII of the evaluation instruction form, if an employee can document that there was no factual basis for the evaluation, or there was bias, or proper procedures were not followed, the employee may present a written statement with documentation indicating the section or factor of the evaluation being questioned. The statement will be attached to the evaluation form and will be available for review and action if warranted.

B. Employee: Any City and County employee in the service, regardless of status.

C. Immediate Supervisor: The individual who immediately assigns, reviews or directs the work of an employee.

D. Intermediate Supervisor: Next highest supervisor to be based on the organizational pattern of the department as determined by the appointing officer.

E. Appointing Authority: The head of the department having the lawful power to make appointments or to remove persons from positions in the City and County service.

F. Representative: A labor or employee organization and/or individual who appears at the request of and on behalf of the employee(s).

G. Witness: Any persons who the grievant wishes to appear to assist the employee in establishing the facts of the grievance. The number of witnesses providing substantially the same information may be limited by the supervisor or appointing officer.

Section 18.03. GRIEVANCE PROCEDURE

A. General Provisions

1. Appointing officers shall prepare reasonable rules or regulations concerning employee representatives' contacts with employees on City facilities during working hours. Such rules or regulations shall be written in such a manner as not to hinder or impair the implementation of the grievance procedure as provided by this rule.

2. The steps in the procedure set forth herein shall be followed unless it is agreed by the appropriate supervisor and the grievant that the grievance should be started at Step 3 or Step 4. In large departments made up of divisions, bureaus, sections or institutions, the additional intermediate supervisor shall be included regularly as part of the procedural steps.

The appointing officer and the grievant may agree that in any particular case, one additional intermediate supervisor should be added to the procedural steps listed below.

3. If the supervisor or appointing officer fails to respond within the required time limits, the grievant may then present the grievance in writing to the next higher step. If the grievant fails to present the grievance to the next higher step within the required time limits, then the grievance will be considered to be resolved.

4. The time limits set forth in this grievance procedure may be extended by mutual agreement of the appointing officer and the grievant.

B. Step 1 - Immediate Supervisor (Oral)

1. The employee and/or representative if requested by the employee shall explain, orally, the grievance to the employee's immediate supervisor, if the grievance starts at Step 1.

2. The supervisor shall reach a decision and communicate it orally to the employee and/or representative within five (5) working days of being told of the grievance.

C. Step 2 - Immediate Supervisor

1. If the employee is not satisfied with the decision rendered, the employee and/or representative shall submit the grievance in writing within five (5) working days to the immediate supervisor on the employee grievance form.

2. The immediate supervisor shall notify the employee and/or representative in writing on the employee grievance form of the decision and the reasons within five (5) working days from the date of presentation of the grievance.

D. Step 3 - Intermediate Supervisor

1. If the grievance is not resolved at Step 2, the employee and/or representative shall use the employee grievance form to submit the grievance in writing to the employee's intermediate supervisor as defined in Section II of the employee grievance form. A grievance will be considered to be resolved unless the grievance is filed with the intermediate supervisor not later than five (5) working days after the date the decision was returned to the employee by the immediate supervisor.

2. After review and discussion with all involved parties, the intermediate supervisor shall use the employee grievance form to notify the employee of the decision and the reasons. This form shall be returned to the employee within five (5) working days of receipt of the grievance.

E. Step 4 - Appointing Officer

1. If the grievance is not resolved at Step 3, the employee and/or representative shall use the same employee grievance form to submit the grievance to the appointing officer within five (5) working days after the date of notification of the decision by the intermediate supervisor.

2. After review and discussion with all involved parties, the appointing officer shall use the grievance form to notify the employee of the decision and the reasons. This form shall be returned to the employee within ten (10) working days of receipt of the grievance.

F. Step 5 - Arbitration Process

1. If the grievance is not resolved at Step 4 and the employee requests final and binding arbitration, the employee and/or representative shall submit the same employee grievance form to the appointing officer within five (5) working days of the receipt of the appointing officer's decision. The employee and/or representative shall be entitled to decide whether the American Arbitration Association or the California State Conciliation Service will administer the arbitration and shall notify the appointing officer of the employee's decision as part of the written request for arbitration. If the employee does not so indicate preference, the appointing officer shall decide which agency will administer the arbitration. The appointing officer shall then initiate arbitration by contacting either the American Arbitration Association or the California State Conciliation Service, whichever is selected as above, within ten (10) working days from the date the employee requests arbitration. If the appointing officer does not initiate arbitration as indicated above, the employee may do so within seven (7) additional working days.

2. If the appointing officer requests arbitration, the appointing officer shall initiate arbitration by contacting the American Arbitration association or the California State Conciliation Service and shall give notice to the other party or parties.

3. The arbitrator shall be an impartial person selected from either the American Arbitration Association or the California State Conciliation Service, the agency to be determined as indicated above. The agency shall provide both parties to the grievance with an identical list of five (5) names. If both parties to the grievance cannot agree on an arbitrator from the list provided, within seven (7) days from receipt of the list, they shall have five (5) additional days to strike names alternately from the list until only one name is left. The cost of arbitration shall be equally shared by the employee and the department.

4. The arbitrator's decision cannot supersede Charter provisions, Civil Service Commission Rules, ordinances, memoranda of understanding, the Administrative Code, financial and budgetary appropriations and such other rules and regulations.

RULE 19

TRANSPORT WORKERS UNION - SAN FRANCISCO MUNICIPAL RAILWAY TRUST FUND

Section 19.01. CHARTER PROVISION

A. Section 8.404 of the Charter provides for the establishment of a fund to receive and to administer that money which represents the dollar value difference between vacation, retirement and health service benefits provided by Charter for platform employees, coach or bus operators of the Municipal Railway (hereinafter referred to as "operators") when such benefits are less than those provided in the two other street railway and bus systems and are used for the determination of wage schedules for operators of the Municipal Railway.

B. The Commission is mandated to adopt rules, subject to approval by the Board of Supervisors by ordinance, for the establishment and general administration of the fund. Such rules must provide for a joint administration of the fund by representatives of the city government, including representatives of the Public Utilities Commission and representatives of the organized operators.

C. The Charter further states that such rules may provide a procedure for final and binding arbitration of the disputes which may arise between representatives of the City government and the representatives of the organized operators.

D. The Charter further requires that the rules provide that all investments of the fund shall be of the character legal for insurance companies in California.

Section 19.02. DETERMINATION OF DOLLAR VALUE OF DIFFERENCES IN BENEFITS

A. The dollar-value difference between vacation, retirement and health service benefits provided by Charter for operators of the Municipal Railway, when such benefits are less than those provided in the two other street railway and bus systems used for the establishment of wage schedules for operators of the Municipal Railway, shall be determined by the Commission after consultation with Local 250A, Transport Workers Union of America, (or the employee organization having exclusive group representational rights before the Public Utilities Commission), and shall be included in the Salary Standardization Ordinance adopted pursuant to the provisions of Section 8.404 of the Charter.

B. The procedure for payment of monies due to the Fund in accordance with Charter authority and the provisions of this rule shall be established by the Controller.

Section 19.03. ESTABLISHMENT OF TRUST FUND

In accordance with the authority of Charter Section 8.404, there is hereby established a Transport Workers Union-San Francisco Municipal Railway Trust Fund (hereinafter, for the purpose of this rule, to be referred to as the "Trust Fund") to be administered as hereinafter set forth.

Section 19.04. BOARD OF TRUSTEES

A. The Trust Fund shall be administered by a Board of Trustees (hereinafter referred to as "The Board") of six (6) members to be selected as follows:

Two trustees to be appointed by the Public Utilities Commission who shall serve at the pleasure of the Public Utilities Commission.

One trustee to be appointed by the Civil Service Commission who shall serve at the pleasure of the Civil Service Commission.

Three trustees to be appointed by Local 250A, Transport Workers Union of America, (or the employee organization having exclusive group representational rights before the Public Utilities Commission), who shall serve at the pleasure of the Union.

The appointing authority may also appoint and at its pleasure remove one alternate for each trustee to serve when trustees are not available to attend meetings of the Board. An alternate when serving in the place of a trustee shall have full power to act as a trustee.

B. Members of the Board and their alternates shall serve until such time as they separate themselves or are removed from their appointment. If a trustee position is vacated, the trustee's alternate shall serve until a successor is designated by the appropriate designating authority.

C. The Board shall elect one member as president and one member as vice-president and shall establish their terms of office, provided however, that a member appointed by management (Public Utilities Commission or Civil Service Commission) and a member appointed by the employees (Transport Workers Union) shall alternate terms in each such office and that a member appointed by management shall serve as vice-president during the term in which a member appointed by the employees holds office as president, and vice versa.

D. Actions of the Board shall be by majority vote of all of the trustees.

E. Trustees who are employees of the city shall be authorized to attend meetings of the Board held during regular working hours of the employee without loss of pay.

F. No trustee shall receive payment or emolument of any kind for services but may be reimbursed from the Trust Fund for all reasonable expenses incurred in the performance of duties as trustee.

Section 19.05. POWERS AND DUTIES OF BOARD OF TRUSTEES

The Board shall have the power and it shall be its duty to:

A. Establish by rule the detailed procedure for the receipt of monies to the Trust Fund and for the administration of the Trust Fund, which shall include a provision that all investments of the Trust Fund shall be of the character legal for insurance companies in California.

B. Appoint an administrator or secretary of the Trust Fund who shall be the Executive Officer and Secretary of the Board and whose duties and responsibilities shall be set forth by the Board and who shall serve at the pleasure of the Board.

C. Establish such other positions as in the judgment of the Board may be required to staff the office of the Trust Fund and to make appointments to such positions.

D. Provide for the bonding of the trustees, the administrator, and such other employees of the Trust Fund as in the judgment of the Board should be bonded.

E. Select a location for quarters for the Trust Fund and provide for the equipment of such office.

F. Provide for the costs of administration of the Trust Fund including the salaries of all employees and the costs involved in the purchase, lease or rental and the equipment of quarters.

G. Establish the types of benefits that shall be made available to the operators and the procedures and methods for the disbursement of such benefits.

H. Establish procedures for the investment of funds within the restrictions herein provided, which procedures may provide for the employment of the services of an investment counsel.

I. Provide for the retention of legal or actuarial counsel when such assistance is deemed by the Board to be required.

J. Establish accounting procedures to properly account for the administration of the Trust Fund.

K. Prepare an annual report to the Public Utilities Commission and to the officers and members of Local 250A of the Transport Workers Union of America (or the employee organization having exclusive group representational rights before the Public Utilities Commission), which report shall include a summary of the income, investments, disbursements and administrative expenses of the Fund.

Section 19.06. VESTED RIGHTS

Neither the City, nor the Union or the individual operators shall have any vested rights in or to the Trust Fund or any part thereof except the right of the qualified operators, their dependents, their beneficiaries or next of kin to receive the benefits provided for in the plan to which they may be respectively entitled.

Section 19.07. PROTECTION OF TRUSTEES

A. Neither the trustees nor any individual or successor trustee shall be personally answerable or personally liable for any liabilities or debts of the Trust Fund contracted by them as such trustees, or for the non-fulfillment of contracts, but the same shall be paid out of the Trust Fund and the Trust Fund is hereby charged with a first lien in favor of each of such trustees for security and indemnification for any amounts paid out by such trustee for any such liability and for the trustee's security and indemnification against any liability of any kind which the trustees or any of them may incur hereunder;

provided however, that nothing herein shall exempt any trustee from liability arising out of the trustee's own willful misconduct or bad faith or entitle such trustee to indemnification for any amounts paid or incurred as a result thereof.

B. The trustees and each individual trustee shall not be liable for any error of judgment or for any loss arising out of any act or omission in the execution of the Trust Fund, as long as they act in good faith; nor shall any trustee, in the absence of the trustee's own willful misconduct or bad faith, be personally liable for the acts or omissions (whether performed at the request of the trustees or not) of any other trustee, employee, agent or attorney elected or appointed by or acting for the trustees.

C. The costs and expenses of any action, suit or proceeding brought by or against the trustee or any of them (including counsel fees) shall be paid from the Trust Fund, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such trustee was acting in bad faith in the performance of the trustee's duties hereunder.

Section 19.08. MEDIATION AND ARBITRATION

In the event of a dispute on any matter before the Board for action, the Board may by affirmative vote of three members refer the matter to mediation or arbitration. The Board shall provide the procedure for the mediation of any dispute. If a matter is referred to arbitration, then the Board shall attempt to agree on the selection of an impartial arbitrator. If an impartial arbitrator cannot be agree upon within forty-eight (48) hours, then an arbitrator designated by the American Arbitration Association shall hear and determine the issue. The written decision of the arbitrator shall be final and binding upon the Board.

Section 19.09. AUDIT REPORT

A. The Trust Fund shall be audited semi-annually by an auditor to be designated by the Controller of the City and County. The auditor's report shall be made to the Board of Supervisors, with copies to Local 250A, Transport Workers Union of America (or to the employee organization having exclusive group representational rights before the Public Utilities Commission), the Public Utilities Commission, the Civil Service Commission, and the Controller and twelve (12) copies to the Secretary of the Trust Fund for distribution to each trustee and alternate trustee; and the cost of such audit report shall be paid for by the City and County from funds to be appropriated for such purpose by the Board of Supervisors.

B. The Board of Trustees and Local 250A of the Transport Workers Union of America (or the employee organization having exclusive group representational rights before the Public Utilities Commission) may, each at its respective option whenever deemed desirable, arrange for an additional independent audit of the Trust Fund by a qualified auditor of its choice, the expense of which shall be borne by the Trust Fund when ordered by the trustees and by Local 250A, Transport Workers Union of America (or the employee organization having exclusive group representational rights before the Public Utilities Commission), when ordered by the Union.

RULE 20

TRANSFERS

Section 20.01. TRANSFERS

A. A transfer of a permanent appointee who has completed the probationary period to a position in the same class under another appointing officer shall be requested on the form prescribed by the General Manager, Personnel.

B. A properly completed transfer form approved by the appointing officer or designee of the department to which transfer is requested shall be filed in the requested department. A copy of the approved form shall be filed with the Civil Service Department and in the employee's current department within two (2) business days of approval.

C. Appointees accepting a new appointment by transfer shall give a minimum period of notice prior to separation from their current department of fifteen (15) working days unless the current department approves a shorter period of notice.

D. Appointments by transfer are subject to the appointment and probationary provisions of these rules.

E. Appointment by transfer will cancel all other transfer requests which have been filed.

Section 20.02. TRANSFER FROM POSITION NOT FULL-TIME

A permanent appointee to a part-time position or a position not full time on an annual basis and who serves under such appointment continuously for one (1) year, may request transfer to a regular full-time position in accordance with the provisions of this rule.

Section 20.03. TRANSFER OF DISABLED

A. Charter Authority

A disability transfer request may be effected in accordance with Charter Section 8.350.

B. Request Form Prescribed

A disability transfer request shall be submitted to the Civil Service Department on the form prescribed by the General Manager, Personnel.

C. Certification by Designated Physician

A physician designated by the General Manager, Personnel pursuant to the Rule on medical examinations shall certify on such form that the employee because of disability is unable to perform the duties of his or her present position, but may perform the duties of the position to which transfer is requested.

D. Action by the General Manager, Personnel and Appeal of Decision

1. The disability transfer request shall be subject to the approval of the General Manager, Personnel.

2. In effecting a disability transfer, the General Manager, Personnel shall consider the employee's skills, education and experience and shall make every attempt to place the employee in a position with a salary as close as possible to the salary the employee is receiving in the class from which transferring subject to Charter Section 8.350.

3. In evaluating the employee for a particular position, the General Manager, Personnel shall refer the employee to the department prior to certification. Both the employee and the department will advise the General Manager, Personnel of their assessment of the position under consideration for the employee. The decision of the General Manager, Personnel shall be final unless within five (5) days of the decision to certify the employee to the department, either the employee or the department requests reconsideration by the Commission.

E. Priority of Requests

In the event of more than one disability transfer request filed for the same position, the request with the earlier filing time in the Civil Service Department shall be offered available appointment.

F. Probationary Period Following Disability Transfer

1. A disability transferee shall serve a probationary period of six (6) months of service as provided elsewhere in these Rules.

2. At any time during the probationary period, the employee may with the review and approval of the appointing officer and subject to the approval of the General Manager, Personnel request further disability transfer to a position in the class to which transferred in another department subject to a new probationary period, or to a position in another class subject to a new probationary period. If there is no immediate vacancy in another position or class pending such further disability transfer, the employee shall remain in the department and the probationary period shall be extended until further disability transfer can be effected; however, in no case shall the extension of the probationary period exceed three (3) months of service. Requests for further disability transfer may be rescinded on the request of the employee and with the approval of the appointing officer. If the request is rescinded during the initial six (6) month probationary period, the employee will complete the balance of the probationary period; if the rescision occurs during the extension to the probationary period, the employee will be deemed as having passed the probationary period on the date the approved request to rescind is received in the Civil Service Department. At any time during the probationary period or the probationary period extension, charges for the employee's dismissal may be preferred in accordance with the procedures governing the removal of permanent employees as provided in Charter Section 8.341 and elsewhere in these Rules.

3. The hearing officer in rendering a decision shall have the following options: exonorate the employee; suspend the employee; terminate the employee; or refer the employee to the Civil Service Department for consideration for further disability transfer. The hearing officer shall evaluate the charges for dismissal with the standard applicable to a probationary and not a permanent employee. The decision of the hearing officer shall be final.

G. Certification and Appointment

Certification and appointment of disability transferees shall be made in accordance with the provisions of Rule 11 - Certification of Eligibles, Section 11.02A - Rule of One. Such transferees shall have priority over eligibles on existing eligible lists; however, holdovers shall have preference for certification and appointment over disability transferees.

H. Resolution of Disputes

1. A dispute concerning the application, implementation or interpretation of this section shall be decided by the General Manager, Personnel subject to reconsideration by the Commission as provided elsewhere in these Rules.

2. Pending final resolution of a dispute under this subsection any proposed disability transfer shall be held in abeyance.

Section 20.04. TRANSFERS OCCASIONED BY REDUCTION OF FORCE DUE TO TECHNOLOGICAL ADVANCES, AUTOMATION, OR THE INSTALLATION OF NEW EQUIPMENT

Permanent civil service employees who have completed their probationary period and who are subject to layoff because of technological advances, automation, the installation of new equipment, or the transfer of functions to another jurisdiction may submit a request to the General Manager, Personnel, for transfer to a position within their capacities to perform, whether or not within the classification for which they qualified for appointment. Such request for transfer shall be subject to the following:

A. Request for transfer shall be submitted on the form prescribed by the General Manager, Personnel, and shall be approved by the appointing officer or designee of the department to which transfer is requested.

B. The position to which transfer is requested shall not be to a classification having a higher compensation schedule than the one from which transfer is requested. Compensation in the position to which transfer is made shall thereafter be governed by the provisions of the Salary Standardization Ordinance and the Annual Salary Ordinance.

C. The General Manager, Personnel, may administer any examinations which, in the judgment of the General Manager, Personnel, are deemed advisable to test the capacity of the employee to perform the duties in the position to which transfer is requested, unless the transfer is to a position in the same classification or a closely related class.

D. Employees so transferred who are not suited to the position may be given an opportunity for further transfer to other positions within their capacities to perform.

E. In the event of layoff of an appointee who occupies a position through transfer under the provisions of this section, such layoff shall be in accordance with the applicable provisions of the Layoff Rule. Seniority shall be calculated from the date of certification in the classification from which transferred.

F. Employees transferred under the provisions of this section may request reinstatement to the former classification in accordance with the Reinstatement Rule.

G. In the event that more than one approved transfer to the same classification is on file in the Civil Service Department, preference shall be given to the appointee who has the longest service under civil service permanent appointment in the classification from which layoff is to be made.

H. An appointee transferred under the provisions of this section shall serve a probationary period in the new class.

Section 20.05. TRANSFERS OCCASIONED BY THE TRANSFER OF FUNCTIONS FROM ONE DEPARTMENT TO ANOTHER

When, in accordance with Charter provisions, part of the functions and duties of any department are transferred to another department, the employees performing such functions and duties shall be transferred therewith; and such employees shall retain in their new department the same salary and civil service seniority status as they had in the department from which transferred. Employees transferred in accordance with this rule shall not be required to serve a new probationary period.

Section 20.06. LIMITED TERM TRANSFER

A. Definition

The transfer of a permanent appointee to a vacant position in the same class under another appointing officer for a specified duration of up to six (6) calendar months may be approved by the appointing officers of both departments and the General Manager, Personnel, and shall be known as a "limited term transfer."

B. Purpose

The purpose of a limited term transfer is to more efficiently utilize and exchange manpower resources among the departments of the City and County, to allow employees exposure and training in other departments, and to provide a mechanism for reducing staffing levels during slow periods or periods of fiscal emergency and to temporarily increase staffing during peak work periods.

C. Types of Limited Term Transfers

1. Voluntary:

A limited term transfer may be initiated on the written request of an employee on the form prescribed by the General Manager, Personnel.

2. Mandatory:

A permanent or probationary employee may be transferred by the employee's appointing officer for a specified period up to a maximum of six (6) months in any calendar year to a position in the same class under another appointing officer.

Such transfers shall be made by class in reverse order of seniority in the class in the department after all permanent and probationary employees in the class have been canvassed and all more senior employees have been notified and have waived the right to request a voluntary limited term transfer. The employee shall receive at least five (5) working days written notice in advance of the effective date of the transfer and shall be given an opportunity, if requested, to meet and confer with the appointing officer or designated representative.

No permanent employee shall be placed on mandatory limited term transfer if there are temporary or provisional employees in the same class in the department from which the transfer originates.

D. Expiration and Extension

1. Limited term transfers will remain in force for the period specified unless abridgment is approved by both appointing officers.

2. Limited term transfers approved for a period of less than six (6) months may be extended for additional periods of time up to a maximum of six (6) calendar months.

3. Upon expiration of the period of the transfer, the transferee shall be automatically reinstated to a permanent position in the class and department from which transferred.

E. Probationary Period

1. A limited term transferee shall not serve a new probationary period; however, notwithstanding any other provision of these Rules, with the approval of the appointing officer in the department to which transferred, the time served during a limited term transfer, or a portion thereof, may be counted toward the completion of the probationary period if the transferee requests and is granted a permanent transfer and commences a probationary period in the new department.

2. An appointee who is transferred under the provisions of this rule while serving a probationary period in the department from which transferred shall complete the probationary period upon reinstatement to the original department; however, an appointing officer may, notwithstanding any other provision of these Rules, credit the time served during a limited term transfer or a portion thereof toward the completion of the probationary period in the original department.

F. Disciplinary Action

A limited term transferee is an appointee in the department to which transferred during the period of the transfer for the purpose of disciplinary action under Charter Sections 8.340, 8.341 and 8.342.

G. Temporary Positions

Limited term transfers which are not made to permanent positions may be made to positions which are funded on a temporary basis with the certification of the Controller that funds for the payment of mandatory fringe benefits are available in the department to which transferred. Appointees so transferred retain all the rights and benefits of permanent appointees.

H. Seniority

Appointees returning to their original departments following a limited term transfer are reinstated with full seniority. No deduction from seniority in the original department shall be made for any period of limited term transfer.

I. Layoff

An appointee who is laid off while on a limited term transfer shall be automatically reinstated to a permanent position in the class in the department from which transferred.

RULE 21

RULES RELATED TO THE EMPLOYER-EMPLOYEE RELATIONS ORDINANCE

Section 21.01. AUTHORITY

By virtue of the authority vested in it by the Employer-Employee Relations Ordinance of the City and County of San Francisco, Ordinance No. 313-76, (hereinafter the "Ordinance"), amending the Administrative Code by adding Chapter 16, Article XI.A thereof, the Civil Service Commission, (hereinafter referred to as "Civil Service Department") hereby issues the following rules which it finds necessary to carry out the provisions of said Ordinance. The Civil Service Department shall take such action as it may deem necessary to effectuate the policies of the Ordinance.

PART I. Employee Recognition Elections

Section 21.02. DEFINITIONS

Words and terms used herein shall have the same meaning as in the Administrative Code, Chapter 16, Article XI.A, where applicable. Wherever the word "certified" is used in these Rules or on any official form of the Civil Service Department, it shall be taken to mean and shall be defined as "recognized" as that word appears in the Ordinance.

Section 21.03. REQUEST FOR RECOGNITION

The filing of a Request for Recognition or a Challenging Petition accompanied by appropriate verification or proof of employees' approval shall be in accordance with the provisions of Ordinance Section 16.211. Requests for Recognition and Challenging Petitions shall be in writing on the form prescribed by the Civil Service Department, and an original and four (4) copies shall be filed with the Civil Service Department. Where the unit for which recognition is sought involves a presently certified representative, such representative shall be notified of the Request for Recognition.

Section 21.04. DECERTIFICATION PETITION

A Decertification Petition shall be in writing on the form prescribed by the Civil Service Department, and an original and four (4) copies thereof shall be filed with the Civil Service Department. The filing of a Decertification Petition accompanied by appropriate verification or proof of employees' approval shall be in accordance with the provisions of Ordinance Section 16.212 within the time period set forth in the Ordinance Section.

Section 21.05. PROOF AND VERIFICATION OF EMPLOYEES' APPROVAL

Proof of employees' approval of a Request for Recognition, a Challenging Petition, or a Decertification Petition shall accompany the filing of the prescribed form. Such proof need be filed with the Civil Service Department only. For purposes of verification by the Civil Service Department, a list of eligible employees shall be furnished by the Employee Relations Division to the Civil Service Department. Such list

shall be furnished to the Civil Service Department no more than twenty (20) calendar days following the filing of a Request for Recognition, Challenging Petition, or Decertification Petition. Appointing Officers shall furnish the list of eligible employees from their respective departments to the Employee Relations Division no more than ten (10) calendar days after request therefrom. Determination whether such verification or proof is satisfactory shall be made by the Civil Service Department administratively and shall not be subject to challenge at any stage of the proceedings.

Section 21.06. HOLDING OF ELECTIONS

The Civil Service Department shall designate an Election Agent to conduct an election pursuant to the provisions of Ordinance Section 16.204 (a)(2).

Section 21.07. PRE-ELECTION CONFERENCE

A. Prior to each election, the Civil Service Department and the Election Agent shall arrange for at least one pre-election conference. The parties shall be notified at least five (5) calendar days in advance of this conference. Parties shall be defined as the City and County of San Francisco as represented by the Employee Relations Division or its designee and representatives from the employee organization(s) or joint council(s) of employee organizations qualified to be included on the ballot. By mutual agreement of the parties and subject to the approval of the Civil Service Department and the Election Agent, the eligible voters, the date(s), time(s) and locations(s) of said election shall be determined at the conference.

B. At this time, and for good cause, the parties shall have the opportunity, subject to the approval of the Civil Service Department and the Election Agent, to prescribe additional rules and procedures for conducting said election. These additional rules and procedures shall be binding and effective for said election as if made a part of the Civil Service Department Election Rules. Subsequent to the Pre-Election Conference, the parties shall sign an election agreement before any further action may be taken with regard to said election.

Section 21.08. ELECTIONS

Employees entitled to vote in any election shall be those employees within a representation unit with permanent or permanent limited tenure status, as set forth in Ordinance Section 16.211(e), including those employees who did not work during such period because of illness, vacation or authorized leaves of absence. The employees so entitled shall be those employees whose names appear on the last payroll which shall bear a date no less than thirty (30) calendar days prior to the date on which the election is to be held or such other date within the discretion of the Civil Service Department as may be practicable under the circumstances.

Section 21.09. LIST OF ELIGIBLE VOTERS

For purposes of the election, a list in duplicate of eligible voters shall be furnished to the Civil Service Department by the Employee Relations Division within twenty (20) calendar days after a request therefore by the Civil Service Department has been made. Appointing Officers shall furnish the list of eligible voters from their respective departments to the Employee Relations Division no more than ten (10) calendar days after request therefrom.

Section 21.10. ACCURACY OF LIST

Any employee organization(s) or joint council(s) of employee organizations qualified to be included on the ballot shall be afforded an opportunity to examine said list at the offices of the Civil Service Department, and to file any protest as to any inaccuracies in said list at that time. The Civil Service Department will endeavor to seek agreement upon a list of eligible voters by and between the Employee Relations Division and the organizations qualified to be included on the ballot. If such agreement is not reached, the Civil Service Department shall make the determination of eligible voters and shall immediately notify the Election Agent of its determination. This list shall then become the official list of eligible voters.

Section 21.11. BALLOT CONTENT

Pursuant to Ordinance Section 16.211(d), every ballot in an election shall contain a choice of "no organization" in addition to the names of the employee organization(s) or joint council(s) of employee organizations which the Civil Service Department has directed to be placed on the ballot. The Election Agent shall determine by lot the order in which the names of the employee organizations will appear on the ballot. The ballot shall be in the form adopted and prescribed by the Civil Service Department.

Section 21.12. AMENDMENT OF BALLOT

A. Any employee organization or joint council(s) of employee organizations may request that its name be removed from the ballot or as it is to appear on the ballot, be amended or modified. Such request shall be filed with the Civil Service Department in writing no less than fourteen (14) calendar days before the date of election. Upon such request and after mutual agreement of the parties, the Civil Service Department shall direct the Election Agent to change the ballot accordingly.

B. Where a proceeding involves a Decertification Petition, the certified organization may not have its name removed from the ballot unless it gives notice in writing no less than twenty (20) calendar days before the date scheduled for the election. Such notice shall constitute a disclaimer of interest on the part of the certified representative to represent the employees of the unit in question. Upon such request and after mutual agreement by the parties, the Civil Service Department shall direct the Election Agent to change the ballot accordingly.

Section 21.13. MAIL BALLOT

The Civil Service Department may order an election, in whole or in part, by mail ballot, as the Civil Service Department, in its discretion, may deem to be desirable. If an election by mail ballot is ordered, in whole or in part, or if the Civil Service Department determines that absentee ballots shall be used, the Civil Service Department will establish rules and procedures as prescribed by the Election Agent at the pre-election conference.

Section 21.14. ELECTION NOTICE

Upon determining that an election is to be held pursuant to Ordinance Section 16.211(e), the Civil Service Department will cause to be prepared a Notice of Election specifying the date and place, or places thereof; the hours during which the polls will be open; the unit in which the election is to be conducted; rules concerning eligibility to vote; a sample ballot; and such additional information and instructions as the Civil

Service Department may determine to be appropriate. Copies of the Notice of Election will be sent to all employee organizations appearing on the ballot, to the Election Agent, and to the Employee Relations Division.

Section 21.15. POSTING OF ELECTION NOTICES

Appointing officers and/or their designee shall, at the direction of the Civil Service Department, post the Notice of Election at work locations where notices are normally posted for the benefit of employees in the unit. Such notices shall be posted at least five (5) calendar days, excluding Saturdays, Sundays or Holidays, prior to the election, and a Declaration of Posting shall be filed on the prescribed form with the Civil Service Department.

Section 21.16. ELECTION OBSERVERS

Each employee organization or joint council(s) of employee organizations which appear on the ballot may designate not more than two (2) employees in the involved representation unit to act as observers at each voting place. The Employee Relations Division may also designate not more than two (2) management employees as Observers at each voting place. Observers shall assist the Election Agent and observe that ballots are properly cast and properly counted. Observers shall not be: a) supervisors of the employees voting, b) employees of any employee organization(s) or joint council of employee organization(s), or c) persons not then employed by the City and County of San Francisco. A Certification of Conduct of Election shall be filed on the prescribed form with the Civil Service Department and the Election Agent.

Section 21.17. CHALLENGED BALLOTS

A. Any party, the Civil Service Department, or its Election Agent or authorized observers may challenge the eligibility of a voter for good cause. Any ballot so challenged shall be impounded by the Election Agent. By mutual agreement at the ballot counting, the parties may, with the approval of the Civil Service Department, attest to the validity of the challenged ballots and such ballots may then be counted.

B. Unresolved challenged ballots shall remain impounded by the Election Agent. It shall be the responsibility of the challenging party to set forth, in writing, reasons for such challenge within seven (7) calendar days. Any other party involved in the election shall have the right to set forth, in writing, its reply thereto within seven (7) calendar days thereafter. Subsequently, the Civil Service Department shall determine the validity of the challenge or challenges unless disposed of by mutual agreement of the parties with the approval of the Civil Service Department. Such disposition shall be made with or without a hearing or investigation as the Civil Service Department deems appropriate. The Civil Service Department shall determine whether such challenged ballots are of sufficient number to affect the results of the election.

Section 21.18. CUSTODY AND CONTROL OF CHALLENGED BALLOTS

Ballots which are the subject of dispute as the result of challenges will remain in the custody and control of the Election Agent until such objections have been either determined or resolved.

Section 21.19. REPORT OF ELECTION RESULTS

The Election Agent shall furnish to the Civil Service Department and to the parties an unofficial tally immediately following the election. Election materials concerning the election, including ballots shall be preserved by the Election Agent for ninety (90) calendar days following the date of that election or for such longer period as may be deemed necessary in the discretion of the Civil Service Department.

Section 21.20. FILING OF OBJECTIONS

Within seven (7) calendar days after the date of the election, any interested party may file with the Civil Service Department an original and four (4) copies of objections to the election. Such objections shall contain a short statement of the reasons therefor, and the Civil Service Department shall conduct an investigation to determine whether such objections have sufficient merit to warrant a hearing before an administrative law judge.

Section 21.21. RECOGNITION

A. If no objections are filed within the time limits set forth above, or if the challenged ballots are insufficient in number to affect the results of the election, or if no run-off election is to be held, the Civil Service Department shall forthwith declare the official results of the election and notify the affected employee organizations or joint council(s) of employee organizations and the Employee Relations Division of the results and, where appropriate issue a certificate of recognition pursuant to Ordinance Section 16.204(a)(1). The Employee Relations Division shall notify the appropriate Appointing Officer(s) of the official election results.

B. It shall be the responsibility of the recognized employee organization or the recognized employee joint council to notify the Civil Service Department whenever such organization or council ceases to represent the employees of the City and County.

Section 21.22. INVESTIGATIONS

The Civil Service Department may conduct investigations in connection with elections or any matters arising therefrom pursuant to the provisions of Ordinance Section 16.204(a)(6).

Section 21.23. UNIT DESIGNATIONS

New classifications, reclassifications and requests for unit transfer of classes shall be referred to the Employee Relations Director for proper unit designation.

PART II. Unfair Labor Practice Charges

Section 21.24. DEFINITIONS

A. Unfair practice: A violation of Ordinance Section 16.213.

B. Charge: A written averment of a violation of Ordinance Section 16.213.

C. Answer: A written denial or an acknowledgment that a violation of Ordinance Section 16.213 has occurred.

D. Charging Party: The person, organization or other entity lodging the charge with the Civil Service Department.

E. Charged Party: The person, organization or entity averred by the charging party to have violated Ordinance Section 16.213.

F. Service: Actual delivery of any paper to the party upon whom service is required by this rule.

Section 21.25. TIME REQUIREMENT

Charges shall be filed with the Civil Service Department within ninety (90) days after the occurrence of the alleged unfair labor practice or discovery thereof.

Section 21.26. CONTENTS OF CHARGE

A charge that a violation of Ordinance Section 16.213 has occurred shall be filed in writing on the form prescribed by Civil Service Department. Such charge shall:

A. be signed by the person averring a violation of Ordinance Section 16.213;

B. contain a declaration by the person filing such charge, under penalty of perjury, pursuant to Section 446 of the California Code of Civil Procedures or otherwise be under oath;

C. contain a plain, concise statement descriptive of the violation asserted, including, if possible, the names and addresses, the time and place of occurrence of the particular acts, telephone numbers of the persons or organizations asserted to be in violation, and the subdivision or subdivisions of Ordinance Section 16.213 asserted to be violated; and

D. contain the full name, affiliation, address and telephone number of the charging party, and the title of any representative identified as or with the charging party.

Section 21.27. FILING OF CHARGE

Six (6) copies of a charge shall be filed with the Assistant Secretary of the Civil Service Commission.

Section 21.28. INVESTIGATION OF CHARGES

The Civil Service Department shall investigate each charge and will make a written report within thirty (30) calendar days, excluding Saturdays, Sundays and Holidays, from receipt of the charges. The Civil Service Department shall endeavor to resolve the charge through mediation prior to a formal hearing.

Section 21.29. CIVIL SERVICE DEPARTMENT ACTION

After investigation of the charges, the Civil Service Department may:

A. dismiss the charge in whole or in part;

B. direct a further investigation;

C. direct that a notice of hearing be issued and served upon the respondent or respondents and all other parties involved;

D. take such other action as it deems appropriate.

Section 21.30. WAIVER OF TIME REQUIREMENTS

The Civil Service Department may act to modify or waive any of the specific time requirements set forth in this Rule for Unfair Labor Practice Charges upon showing of good cause. The time limits contained in Rule Section 21.28 may also be waived by the Civil Service Department when, because of unusual circumstances, it becomes impracticable for the Civil Service Department to comply with same. After the adoption of this rule by the Commission, Unfair Labor Practice Charges shall comply within the time limitation as set forth in Rule Section 21.25.

PART III. Procedures for the Utilization of Administrative Law Judges

Section 21.31. COMPLAINT

All actions which may or must be heard by an administrative law judge shall be initiated by the filing of a complaint. Said complaint shall be filed with the Assistant Secretary of the Civil Service Commission and shall contain a statement of charges which shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare a defense. The complaint shall specify the statutes, ordinances or rules which the respondent is alleged to have violated but shall not consist merely of charges phrased in the language of such statutes, ordinances or rules. The complaint shall be verified and said verification may be on information and belief.

Section 21.32. SERVICE OF COMPLAINT

If the complaint raises issues which must be referred to an administrative law judge, the Civil Service Department shall, within ten (10) working days of receipt thereof, serve a copy of the complaint on the named respondent(s) and on the Employee Relations Director. Said service shall be accomplished by the respondent(s) being personally served with a copy of the complaint or a copy being sent to the respondent(s) by registered mail to the address the respondent has on file with the Civil Service Department as his or her place of residence.

Section 21.33. NOTICE OF HEARING AND ANSWER TO COMPLAINT

Accompanying the complaint so served shall be a notice from the Civil Service Department to the effect that a hearing will be held on the complaint and that the respondent(s) will be notified of said date when fixed.

Such notice of the time and place of hearing shall be personally delivered or mailed to the parties at least ten (10) days prior to the hearing. The respondent(s) shall also be informed that they may, within fifteen (15) days of receiving the complaint, file an answer thereto with the Civil Service Department admitting or denying the complaint in whole or in part. The hearing shall not be scheduled prior to the expiration of the time within which the respondent is entitled to file an answer. Failure on the part of the respondent(s) to file an answer to the complaint within the aforementioned time limitation shall be deemed an admission of the truth of the facts contained herein and the hearing shall proceed on that basis.

Section 21.34. AMENDMENT TO COMPLAINT

A. A complaint may be amended once by the complainant at any time before an answer is filed with the Civil Service Department by filing same with the Civil Service Department. The Civil Service Department shall, in compliance with Section 21.32 of these rules, serve a copy of the amended complaint on the respondents. Accompanying the service of the amended complaint on the respondent shall be information to the effect that the respondent shall have ten (10) days in which to admit or deny the allegations contained in the amended complaint.

B. The administrative law judge may, in the furtherance of justice and on such terms as may be proper, allow a party to amend any pleading after notice to the adverse party, and may also on such terms as may be proper, allow an answer to be made after the time limitation contained in these procedures.

Section 21.35. DISCOVERY

A. After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within thirty (30) days after service by the Civil Service Department of the initial pleading, or within fifteen (15) days after such service of an additional pleading, is entitled to:

1. obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to those intended to be called to testify at the hearing, and

2. inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

   a. A statement of a person, other than the respondent named in the initial pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to such person is the basis for the proceeeding;

   b. A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

   c. Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in a or b above;

d. All writings, including but not limited to reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

e. Any other writing or thing which is relevant and which would be admissible in evidence;

f. Investigative reports made by or on behalf of the Civil Service Department or other party pertaining to the subject matter of the proceeding, to the extent that such reports:

i) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding; or

ii) reflect matters perceived by the investigator in the course of the investigation; or

iii) contain or include by attachment any statement or writing described in (a) to (e) inclusive, or summary thereof.

B. For the purpose of this rule, "statement" includes written statements by the person, signed or otherwise authenticated by the person, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of such oral statements.

C. Nothing in this rule shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

Section 21.36. DISCOVERY, JUDICIAL REMEDY

A. Any party claiming their request for discovery pursuant to Rule 21.35 has not been complied with may serve and file a verified petition to compel discovery in the Superior Court for the county in which the administrative hearing will be held, naming as respondent the party refusing or failing to comply with Rule 21.35. The petition shall state facts showing the respondent party failed or refused to comply with Rule 21.35, a description of the matters sought to be discovered, the reason or reasons why such matter is discoverable under this provision, and the ground or grounds of respondent's refusal so far as known to petitioner.

B. The petition shall be served upon the respondent party and filed within fifteen (15) days after the respondent party first evidenced their failure or refusal to comply with Rule 21.35 or within thirty (30) days after request was made and the party has failed to reply to the request, whichever period is longer. If from a reading of the petition, the court is satisfied that the petition sets forth good cause for relief, the court shall issue an order to show cause directed to the respondent party; otherwise the court shall enter an order denying the petition. The order to show cause shall be served upon the respondent and their attorney of record in the administrative proceeding by personal delivery or registered mail and shall be returnable no earlier than ten (10) days from its issuance nor later than thirty (30) days after the filing of the petition. The respondent party shall have the right to serve and file a written answer or other response to the petition and order to show cause.

C. The administrative proceeding shall be stayed during the pendency of the proceedings before the Superior Court only if the court issues an order to show cause.

D. Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that such matter is not a discoverable matter under the provisions of Rule 21.35 or is privileged against disclosure under such provisions, the court may order lodged with it such matters as are provided in subdivision (b) of Section 915 of the Evidence Code and examine such matters in accordance with the provisions thereof.

E. The court shall decide the case on the matters examined by the court in camera, the papers filed by the parties, and such oral argument and additional evidence as the court may allow.

F. Unless otherwise stipulated by the parties, the court shall not later than thirty (30) days after the filing of the petition file its order denying or granting the petition, provided however, the court may on its own motion for good cause extend such time an additional thirty (30) days. The order of the court shall be in writing setting forth the matters or parts thereof the petitioner is entitled to discover under Rule 21.35. A copy of the order shall forthwith be served by mail by the clerk upon the parties. Where the order grants the petition in whole or in part, such order shall not become effective until ten (10) days after the date the order is served by the clerk. Where the order denies relief to the petitioning party, the order shall be effective on the date it is served by the clerk.

G. The order of the Superior Court shall be final and not subject to review by appeal. A party aggrieved by such order, or any part thereof, may within fifteen (15) days after the service of the Superior Court's order serve and file in the appropriate court of appeal a petition for a writ of mandamus to compel the Superior Court to set aside or otherwise modify its order. Where such review is sought from an order granting discovery, the order of the trial court and the administrative proceeding shall be stayed upon the filing of the petition for writ of mandamus, provided, however, the court of appeal may dissolve or modify the stay thereafter if it is in the public interest to do so. Where such review is sought from a denial of discovery, neither the trial court's order nor the administrative proceeding shall be stayed by the court of appeal except upon a clear showing of probable error.

H. Where the Superior Court finds that a party or their attorney, without substantial justification, failed or refused to comply with Rule 21.35 or, without substantial justification, filed a petition to compel discovery pursuant to this section, or, without substantial justification, failed to comply with any order of court made pursuant to this rule, the court may award court costs and reasonable attorney fees to the opposing party. Nothing in this subdivision shall limit the power of the Superior Court to compel obedience to its orders by contempt proceedings.

Section 21.37. ADMINISTRATIVE LAW JUDGE, REPORTER

A. Every hearing in a contested case shall be presided over by an administrative law judge. The administrative law judge shall preside at the hearing, rule on the admission and exclusion of evidence, and matters of law.

B. The administrative law judge shall voluntarily disqualify herself or himself and shall withdraw from any case in which the administrative law judge cannot afford a fair and impartial hearing or consideration. Any party may request the disqualification of any administrative law judge by filing an affidavit, prior to the taking of evidence at a hearing, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be afforded. The issue of disqualification shall be determined by the administrative law judge.

C. The proceedings at the hearing shall be reported by either a court reporter or by electric recording device.

Section 21.38. EVIDENCE RULES

A. Oral evidence shall be taken only on oath or affirmation.

B. Each party shall have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called the witness to testify; and to rebut the evidence against her or him. If the respondents do not testify in their own behalf, they may be called and examined as if under cross-examination.

C. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

D. The hearing shall be conducted in the English language. The proponent of any testimony to be offered by a witness who does not proficiently speak the English language shall provide an interpreter, approved by the administrative law judge conducting the proceeding as proficient in the English language and the language in which the witness will testify, to serve as interpreter during the hearing. The cost of the interpreter shall be paid by the party providing the interpreter.

Section 21.39. EVIDENCE BY AFFIDAVIT

A. At any time ten (10) or more days prior to a hearing or a continued hearing, any party may mail or deliver to the opposing party a copy of any affidavit which that party proposes to introduce in evidence, together with a notice as provided in Rule 21.39, subsection B. Unless the opposing party, within seven (7) days after such mailing or delivery, mails or delivers to the proponent a request to cross-examine an affiant, the right to cross-examine such affiant is waived and the affidavit, if introduced in evidence, shall be given the same effect as if the affiant had testified orally. If an opportunity to cross-examine an affiant is not afforded after request therefor is made as herein provided, the affidavit may be introduced in evidence, but shall be given only the same effect as other hearsay evidence.

B. The notice referred to in subsection A above shall be substantially in the following form:

> The accompanying affidavit of (here insert name of affiant) will be introduced as evidence at the hearing in (here insert title of proceeding). (Here insert name of affiant) will not be called to testify orally and you will not be entitled to question her or him unless you notify (here insert name of the proponent or attorney) at (here insert address) that you wish to cross-examine her or him.
>
> To be effective, your request must be mailed or delivered to (here insert name of proponent or attorney) on or before (here insert a date seven (7) days after the date of mailing or delivering the affidavit to the opposing party).

Section 21.40. OFFICIAL NOTICE

In reaching a decision official notice may be taken, either before or after submission of the case for decision of any fact which may be judicially noticed by the courts of this State. Parties present at the hearing shall be informed of the matters to be noticed, and those matters shall be noted in the record, referred to therein, or appended thereto. Any such party shall be given a reasonable opportunity on request to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the administrative law judge.

Section 21.41. DECISION OF ADMINISTRATIVE LAW JUDGE

After the matter is submitted, the administrative law judge shall prepare a written decision in the case which shall be immediately binding upon all the parties to the hearing. A copy of said decision shall be furnished to each party and to the Employee Relations Director.

Section 21.42 CONTINUANCE

The administrative law judge may grant continuances. When an administrative law judge of the Office of Administrative Hearings has been assigned to such hearing, no continuance may be granted except by the administrative law judge or by the administrative law judge in charge of the San Francisco Office of Administrative Hearings for good cause shown.

Section 21.43 MATTERS WHICH MAY BE SUBMITTED TO AN ADMINISTRATIVE LAW JUDGE

A. If the complaint raises issues which may be submitted to an administrative law judge, the Civil Service Department shall, within thirty (30) calendar days, excluding Saturdays, Sundays and Holidays from receipt thereof, conduct an investigation into the facts surrounding the allegations and based thereon make a determination as to whether or not the complaint has sufficient merit to warrant a hearing before an administrative law judge.

B. If the Civil Service Department determines that the facts stated in the complaint give rise to a valid dispute between the parties, the matter shall be referred to an administrative law judge and the provisions of this article shall be applicable. If the Civil Service Department determines that the complaint does not state facts which warrant a hearing by the administrative law judge, it shall dismiss said complaint and immediately notify the complainant of such action.

Section 21.44. SUBPOENAS

A. Before the hearing has commenced, the administrative law judge shall issue subpoenas and subpoenas duces tecum at the request of any party for attendance or production of documents at the hearing. Compliance with the provisions of Section 1985 of the Code of Civil Procedure shall be a condition precedent to the issuance of a subpoena duces tecum. After the hearing has commenced, the administrative law judge may issue subpoenas and subpoenas duces tecum.

B. The process issued pursuant to Rule 21.44, subsection A, shall be extended to all parts of the State and shall be served in accordance with the provisions of Sections 1987 and 1988 of the Code of Civil Procedure. No witnesses shall be obliged to attend at a place out of the county in which they reside unless the distance be less than 150 miles from the place of residence except that the administrative law judge, upon affidavit of any party showing that the testimony of such witness is material and necessary, may endorse on the subpoena an order requiring the attendance of such witnesses.

C. All witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the State or any political subdivision thereof, shall receive fees, and all witnesses appearing pursuant to subpoena, except the parties, shall receive mileage in the same amount and under the same circumstances as prescribed by law for witnesses in civil actions in a Superior Court. Witnesses appearing pursuant to subpoena, except the parties, who attend hearings at points so far removed from their residence as to prohibit return thereto from day to day shall be entitled in addition to fees and mileage to a per diem compensation of twenty-five dollars ($25) for expenses of subsistence for each day of actual attendance and for each day necessarily occupied in traveling to and from the hearing. Fees, mileage and expenses of subsistence shall be paid by the party at whose request the witness is subpoened.

Section 21.45. CONTEMPT

If any person in proceedings before an administrative law judge disobeys or resists any lawful order or refuses to respond to a subpoena, or refuses to take the oath or affirmation as a witness or thereafter refuses to be examined, or is guilty of misconduct during a hearing or so near the place thereof as to obstruct the proceeding, the administrative law judge shall certify the facts to the Superior Court in and for the City and County of San Francisco. The court shall thereupon issue an order directing the person to appear before the court and to show cause why he or she should not be punished as for contempt. The order and a copy of the certified statement shall be served on the person. Thereafter the court shall have jurisdiction of the matter. The same proceedings shall be had, the same penalties may be imposed and the persons charged may purge themselves of the contempt in the same ways, as in the case of persons who have committed a contempt in the trial of a civil action before a Superior Court.

Section 21.46. POWER TO ADMINISTER OATHS

In any proceedings under these rules the hearing reporter or the administrative law judge shall have the power to administer oaths and affirmations.

RULE 22

LEAVES OF ABSENCE

Section 22.01. LEAVES OF ABSENCE - GENERAL REQUIREMENTS

Leaves of absence, hereinafter referred to in this rule as "leave," shall be governed by the provisions of this rule. For the purpose of this rule, "appointing officer" shall mean all elected officials, all department heads designated by the Charter as appointing officers, and all Boards and Commissions when officiating as appointing officers.

A. Requests for leave shall be subject to the approval of the appointing officer or designee. The decision of the appointing officer or designee is final unless provision for appeal is specifically granted in this rule; such requests for appeal shall be processed in accordance with the appeal procedure provided herein. Requests for military, maternity, or witness/jury duty leave shall be granted as provided herein.

B. Except for vacation leave, witness/jury duty leave, compulsory sick leave, disability leave or unpaid administrative leave, an employee requesting a leave for more than five (5) working days shall submit such request to the appointing officer or designee on the form prescribed by the General Manager, Personnel. Requests for sick leave in excess of five (5) continuous working days shall be certified by a licensed medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical psychologist, Christian Science Practitioner or licensed doctor of chiropractic. Verification of sick leave with pay for less than five (5) working days (seven [7] calendar days in the case of part-time employees) as provided elsewhere in this rule shall be required on an individual basis only and shall be based upon an evaluation of the individual attendance record of an employee.

C. The General Manager, Personnel, may direct that leave requests be retained in the department and maintained in a manner so as to be readily available for audit, review or analysis by Commission staff.

D. Except as otherwise provided in these rules, leave granted for the period stated on the prescribed form may be extended or abridged only with the approval of the appointing officer or designee. An employee who does not return to work on the approved date shall be deemed as away without official leave and shall be subject to automatic resignation as provided elsewhere in these Rules.

E. Except when an employee requesting sick leave has accumulated unused sick leave with pay credits and except for employees eligible for military leave with pay, witness or jury duty leave, disability leave or leave due to battery as provided elsewhere in this rule, or for authorized holiday or vacation, leaves shall be without pay.

F. Except as provided in this rule and the Probationary Period Rule and except for appointees to entrance positions in the uniformed ranks of the Police Department, Fire Department, Sheriff's Department, and the San Francisco International Airport Police Force, an employee who is granted a leave while serving a probationary period shall have such probationary period extended by the period of such leave in order to complete the required period of service. Disability leave shall extend the probationary period in all cases.

G. Exempt employees may be granted leaves in accordance with the provisions of this rule without reference to the Commission. The decision of the appointing officer shall be final in all cases.

H. An appointee shall not be required to sign a resignation form as a condition of approval of a leave.

I. Leaves granted under this rule shall be indicated on timerolls by symbols designated by the Controller.

J. An authorized leave granted under this rule shall not be considered as a break in the continuous service of an employee.

Section 22.02. SICK LEAVE

A. Sick leave - Definition and General Requirements

1. Eligibility for Sick Leave

Subject to the provisions of this rule, employees and officers (hereinafter called "employees,") who are absent from their duties because of illness or disability are eligible for sick leave.

2. Sick Leave - Exclusions from Eligibility

a. Sick Leave - Members of the Uniformed Ranks of the Police and Fire Departments

Sick leaves granted to members of the uniformed ranks of the Police and Fire Departments shall be regulated by rules adopted respectively by the Police and Fire Commissions. These rules and any amendments thereto shall be subject to the approval of the Commission and when so approved by the Commission shall be deemed as included in this rule. Calculation of sick leave with pay credits, reimbursement for vested and unused accumulated sick leave with pay credits and any provision not covered in the rules of the Police and Fire Departments shall be as provided in this rule.

b. Sick Leave - Other Exclusions

This rule shall not apply to certificated employees of the School Districts, patrol special officers appointed by the Police Commission, employees under personal services contracts, elective officers and members of Boards and Commissions.

3. Definition of Sick Leave

A leave granted under this rule for one of the following reasons shall be known as "sick leave":

a. Sick Leave - Medical Reasons

i) Absence because of illness, including alcoholism, or injury other than illness or injury arising out of and in the course of City and County employment. Absence due to illness or injury arising out of and in the course of employment is administered EITHER 1) under the rules of the Retirement Board and is referred to as "disability leave" and may be supplemented as provided elsewhere in this rule OR 2) under the provisions of this rule and the Administrative Code for those employees injured by battery ("leave due to battery").

ii) Absence because of medical or dental appointments.

b. Sick Leave - Quarantine

Absence during a period of quarantine established and declared by the Department of Public Health or other authority.

c. Sick Leave - Bereavement

i) Absence because of the death of the employee's spouse or domestic partner, parents, step parents, grandparents, parents-in-law or parents of a domestic partner, sibling, child, step child, adopted child, a child for whom the employee has parenting responsibilities, aunt or uncle, legal guardian or any person who is permanently residing in the household of the employee. Such leave shall not exceed three (3) working days and shall be taken within thirty (30) calendar days after the date of death; however, two (2) additional working days shall be granted in conjunction with the bereavement leave if travel outside the State of California is required as a result of the death.

ii) Absence because of the death of any other person to whom the employee may be reasonably deemed to owe respect. Leave shall be for not more than one (1) working day; however, two (2) additional working days shall be granted if travel outside the State of California is required as a result of the person's death.

d. Sick Leave - Maternity

Absence due to the employee's pregnancy or convalescent period following childbirth. Such leave shall not exceed six (6) months provided that such leave may be extended for permanent employees if a physician certifies that a longer convalescence period is required. Such extensions shall be subject to the provisions of this Rule governing sick leave without pay.

e. Sick Leave - Illness or Medical Appointment of Child

Absence because of the illness, injury or medical or dental appointment of a biological or adoptive child, or child for whom the employee has parenting or child rearing responsibilities.

f. Sick Leave - Compulsory

Leave imposed by an appointing officer due to an employee's medical inability or incapacity to perform all the duties of the position as provided elsewhere in this rule.

4. Verification of Sick Leave

a. The appointing officer or designee to whom application for sick leave is made may make such independent investigation as to the necessity for sick leave as is deemed proper and may require certification for any period of sick leave, provided that the employee has been previously notified in writing that such certification for absence of less than five (5) working days shall be required.

b. The Commission or General Manager, Personnel, may at any time make such independent investigation as may be deemed proper regarding the illness of any person on sick leave.

5. Retirement Automatically Terminates Sick Leave

Sick leave shall automatically terminate on the effective date of an employee's retirement.

6. Abridgment of Sick Leave

Sick leaves granted in excess of five (5) working days may be abridged if the employee presents to the appointing officer or designee medical evidence of capability to resume all the duties of the position.

B. Sick Leave With Pay

1. Sick Leave With Pay Eligibility

a. Sick leave with pay may be granted to employees who have earned sick leave with pay credits and who have served a total of six (6) continuous months of regularly scheduled paid service except that supplemental disability credits may be used to supplement disability indemnity payments as provided elsewhere in this rule regardless of length of service and except that an authorized leave of absence with or without pay granted under this rule shall not be considered as a break in the continuous service of an employee.

b. A break in service of more than six (6) continuous months by any employee other than an employee designated as a "holdover" will cause prior accumulated sick leave with pay credits to be cancelled and eligibility for sick leave with pay must be re-established.

c. Sick leave with pay credits will continue to accrue at the normal rate while an employee is on either furlough or voluntary unpaid time off in accordance with this Rule, for a maximum of up to ten (10) days per fiscal year for imposed furlough or twenty (20) days per fiscal year for voluntary unpaid time off.

2. Sick Leave with Pay - Maximum Accumulation of Credits

Sick leave with pay credits shall be cumulative but the accumulated balance of unused sick leave with pay credits shall not exceed the equivalent of six (6) months (which is one-hundred thirty (130) working days for members of the uniformed ranks of the Fire Department, and for other employees, the hourly equivalent of one-hundred thirty (130) working days based on the regular daily work schedule as authorized by the Salary Standardization Ordinance), provided that in no case may the total accumulated unused sick leave with pay credit balance exceed one-thousand forty (1040) hours for any employee. Maximum accumulated sick leave with pay credits shall be reduced proportionately for employees entering a class or position where the regular work schedule is less than the class exiting if such employees have accumulated unused sick leave with pay credits in excess of the maximum allowable for the new class or position. Such employees shall have all such credits restored upon return to a class or position with an increased regular work schedule.

3. Sick Leave with Pay - Restrictions

a. Sick leave with pay is a privilege recognized by Charter and by Ordinance of the Board of Supervisors and should be requested and granted only in cases of absence because of illness which incapacitates the employee for the performance of duties or as otherwise defined in this rule.

b. An appointing officer or designee may require proof of incapacitation before granting sick leave with pay for any period of time and may withhold pay for failure to submit such proof provided that the employee had been previously notified in writing that such proof would be required for absences of less than five (5) working days.

c. The rate of earning and accumulating sick leave with pay credits and authorization for its use under this rule shall in no way inhibit or restrict the right of an appointing officer to establish standards of attendance.

4. Prohibition Against Employment While on Sick Leave With Pay

a. Employees are prohibited from working in any other employment while on sick leave with pay unless, after considering the medical reason for the sick leave with pay, the appointing officer with the approval of the General Manager, Personnel, grants permission for the employee to engage in a secondary employment subject to the provisions of these Rules governing such employment.

b. Violators of this section are subject to disciplinary action as provided in the Charter.

5. Calculation of Sick Leave With Pay Credits

a. Except for members of the uniformed ranks of the Fire Department, sick leave with pay credits shall be earned at the rate of .05 hours for each hour of regularly scheduled paid service excluding, 1) overtime exceeding forty (40) hours per week and 2) holiday pay, except that an employee on disability leave shall earn sick leave with pay credits at the normal rate.

b. For members of the uniformed ranks of the Fire Department, sick leave with pay credits shall be earned at the rate of thirteen (13) working days per completed year of paid service; provided that an employee's balance shall be credited on a pro rata basis based upon the completion of regularly scheduled paid service for the employee's classification, excluding overtime, but including holidays and other paid absences.

c. When provided for in a Memorandum of Understanding, Class 2320 Registered Nurses who are regularly scheduled to work two (2) twelve (12) hour shifts every weekend in the pilot project shall earn sick leave with pay credits at the rate of .075 hours for each hour of regularly scheduled paid service actually worked during her/his regularly scheduled twelve hour shifts. This rule shall apply only to those 2320 Registered Nurses who are regularly scheduled to work two (2) twelve (12) hour shifts on weekends in the San Francisco General Hospital Pilot Project. (Rule Change No. 90-2, adopted by Civil Service Commission 8/21/89; ratified by Board of Supervisors 3/5/90; Ordinance No. 87-90)

6. Disbursement of Sick Leave with Pay Credits

a. Sick leave with pay credits shall be used and deducted at the minimum rate in units of one (1) hour for those employees whose credits are calculated in hours. The minimum deduction for members of the uniformed ranks of the Fire Department shall be determined by departmental rule.

b. When provided for in a Memorandum of Understanding, Class 2320 Registered Nurses who are regularly scheduled to work two (2) twelve (12) hour shifts every weekend in the pilot project, and who use sick leave during any portion of such shifts, shall be entitled to use and deduct sick leave with pay credits at the rate of 1.5 hours for each hour of such sick leave, e.g., sick leave for four hours of a shift = six (6) hours sick leave with pay. The benefits of this rule shall be available only to a 2320 Registered Nurse who is regularly scheduled to work two (2) twelve (12) hour shifts on weekends in the San Francisco General Hospital Pilot Project, and who is required to use sick leave during some of all of her/his regularly scheduled twelve (12) hour shifts on weekends during the pilot project. (Rule Change No. 90-2, adopted by Civil Service Commission 8/21/89; ratified by Board of Supervisors 3/5/90; Ordinance No. 87-90)

7. Conversion of Sick Leave with Pay Credits From Days to Hours

Except for members of the uniformed ranks of the Fire Department, sick leave with pay credit balances shall be converted from days to hours based on the equivalent number of hours in such employee's sick leave with pay credit balances. The equivalent number of hours shall be based on the employee's authorized normal daily work schedule in effect on the effective date of this amended rule, except if the General Manager, Personnel, determines that such conversion is inequitable and allows another formula to be used.

8. Employees Injured By Battery

a. An employee absent because of bodily injury or illness received in the course of employment and caused by an act of criminal violence shall be entitled to sick leave with pay under the provisions of the Administrative Code.

b. Sick leave with pay under this section shall be known as "leave due to battery" and shall be subject to approval by the General Manager, Personnel. The General Manager, Personnel, shall make such investigation as is deemed appropriate and may include medical examinations by a designated Commission physician(s).

c. The decision of the General Manager, Personnel, is reconsiderable by the Commission whose decision is final.

d. Authorized sick leave under this section shall not be charged against earned sick leave with pay credits.

9. Reimbursement of Vested and Unused Accumulated Sick Leave with Pay Credit Balance

a. An employee who had accumulated unused sick leave with pay credits and who had completed the service requirement on or before December 5, 1978, shall upon the effective date of retirement for service or disability, or upon the date of death, or upon the date of separation caused by industrial accident, be reimbursed for the accumulated unused sick leave with pay credit balance which had been earned on or before December 5, 1978, and not subsequently used ("vested and unused accumulated sick leave with pay credits") in accordance with the following schedule of service requirements and allowances.

SCHEDULE OF SERVICE REQUIREMENTS AND ALLOWANCES FOR REIMBURSEMENT OF VESTED AND UNUSED ACCUMULATED SICK LEAVE WITH PAY CREDIT BALANCE AT THE TIME OF RETIREMENT, SEPARATION BECAUSE OF INDUSTRIAL ACCIDENT OR DEATH:

	Service Requirement	Amount of Cash Reimbursement
(1)	15 or more years of continuous service	100%
(2)	More than 5 continuous years but less than 15 continuous years of service	50%
(3)	Up to and including 5 continuous years of service	33 1/3%

b. Reimbursement for the vested and unused accumulated sick leave with pay credit balance shall be further subject to the following:

i) The General Manager, Personnel, shall administer the provisions of this section.

ii) Deduction shall be made from the unused accumulated sick leave with pay credit balance which existed on December 5, 1978, in an amount proportional to any credits used of that balance. Reimbursement shall be made only for the adjusted amount with all credits from the December 5, 1978, balance subsequently used being deducted.

iii) Reimbursement for the vested and unused accumulated sick leave with pay credit balance shall be payable at the time of retirement, separation caused by industrial accident or death, or at a later date when so selected by the employee, but within one year of such retirement, separation or death.

iv) Reimbursement is to be computed at the base rate of pay of an employee's permanent class, at the base rate of pay of the class of a temporary or provisional employee with no permanent status, or at the base rate of pay in a temporary or provisional appointment of an employee with permanent status in another class who has held such temporary or provisional appointment continuously for one (1) or more years at the time of separation.

v) No reimbursement shall be made for unused sick leave with pay credits earned on or after December 6, 1978.

vi) The enactment of this section is not intended to constitute additional compensation, nor be a part of the rate of pay of the employee, but is reimbursement for the vested and unused accumulated sick leave with pay credit balance to which an employee would have been entitled if the employee had not retired, separated due to industrial injury or died.

10. Appeal of Denial of Sick Leave With Pay

Denial of sick leave with pay to an appointee who is eligible and qualified for such leave is appealable as provided elsewhere in this rule.

C. Sick Leave Without Pay

1. Sick Leave Without Pay - Eligibility

Subject to the provisions of this section, sick leave without pay may be granted to employees who are not eligible for sick leave with pay or, subject to the approval of the appointing officer or designee, employees may choose not to use their sick leave with pay credits.

2. Sick Leave Without Pay - Temporary and Provisional Employees

Sick leave without pay may be granted to temporary or provisional employees. Such leave shall be renewed monthly and shall not be extended beyond three (3) calendar months except for sick leave - maternity.

3. Sick Leave Without Pay - Permanent Employees

a. Sick leave without pay may be approved for permanent employees for the period of the illness provided that requests for prolonged leave shall be renewed every three (3) months and provided further that such leave shall not be extended beyond a period of one (1) continuous year unless a designated Commission physician advises that there is a reasonable probability that the employee will be able to return to employment.

b. If the designated Commission physician determines that there is no reasonable probability that the employee will be able to return to duty, the appointing officer shall have good cause for discharge.

c. The designated Commission physician may defer certification of capability for additional periods of three (3) month intervals up to one (1) additional year.

4. Prohibition Against Employment While on Sick Leave Without Pay

a. Employees are prohibited from working in any other employment when on sick leave without pay unless, after considering the medical reason for the sick leave without pay, the appointing officer with the approval of the General Manager, Personnel, grants permission for the employee to engage in outside employment.

b. Violators of this section are subject to disciplinary action as provided in the Charter.

D. Compulsory Sick Leave

1. An appointing officer or designee who has reason to believe that an employee is not medically or physically competent to perform assigned duties, and if allowed to continue in employment or return from leave may represent a risk to co-workers, the public and the employee, may require the employee to present a medical report from a designated Commission physician certifying the employee's medical or physical competency to perform the required duties.

2. If the employee refuses to obtain such physician's certificate OR if as a result of a medical evaluation, the employee is found not to be medically or physically competent, the appointing officer or designee may place the employee on compulsory sick leave and shall immediately report such action to the General Manager, Personnel.

3. An employee shall remain on compulsory sick leave until such time as the employee is found to be competent to return to duty by a designated Commission physician, but such leave shall not exceed the maximum period of sick leave provided for in this rule.

4. The employee placed on sick leave under the provisions of this section may appeal as provided elsewhere in this rule.

5. An employee placed on compulsory sick leave is ineligible for employment with the City and County and shall be placed under waiver on all lists on which the employee's name appears and shall otherwise be unemployable.

E. Disability Leave

1. Absence due to illness or injury arising out of and in the course of employment is defined as "disability leave" and is administered under the State Workers' Compensation Laws and the Rules of the Retirement Board.

2. An employee who is absent because of disability leave and who is receiving disability indemnity payments may request, by submitting a signed option statement to the employee's department no later than ninety (90) days following the employee's release from disability leave, that the amount of disability indemnity payment be supplemented with salary to be charged against the employee's supplemental disability credits so as to equal the full salary the employee would have earned for the regular work schedule. The regular work schedule shall be that schedule in effect at the commencement of the disability leave.

3. Supplemental disability credits shall be an account separate from, but equivalent to, the employee's accumulated unused sick leave with pay credit balance except that the supplemental disability credit account shall be adjusted as provided below.

4. Failure to exercise the option to supplement disability indemnity payments within ninety (90) calendar days following release from disability leave will preclude later requests.

5. Supplemental disability credits shall be used at the minimum rate in units of one (1) hour.

6. The employee's department shall submit separate timerolls to reflect this action only after the Retirement System certifies the amount of disability indemnity payment, if any, for the period.

7. Salary may be paid on regular timerolls and charged against the unused sick leave with pay credit balance during any period prior to the commencement of the determination of eligibility for disability indemnity payment without requiring a signed option by the employee.

8. When an employee has used sick leave with pay credits and the Retirement System subsequently determines that the employee was entitled to disability indemnity payment for the period of absence, provision shall be made for adjusting the employee's sick leave with pay credit balance and for reimbursing the appropriate City fund for the amount of sick leave with pay credits charged and paid.

9. An employee who uses supplemental disability credits to supplement disability indemnity payments shall, while on disability leave, earn supplemental disability credits at the same rate as sick leave with pay credits.

10. Upon return to duty, an employee who has used supplemental disability credits shall earn sick leave with pay credits at the normal rate and shall earn supplemental disability credits at twice the rate that sick leave with pay credits are earned until such time as the total hours of supplemental disability credits used are regained.

11. Should an employee suffer a recurrence or a new injury before all supplemental disability credits are regained, the supplemental disability credit balance shall be that balance existing at the beginning of the pay period in which the recurrence or new injury occurs and shall be adjusted for the amount of supplemental disability credits subsequently earned and sick leave with pay credits subsequently used.

F. Use of Sick Leave with Pay Credits to Supplement State Disability Insurance

1. Sick leave with pay credits shall be used to supplement State Disability Insurance (SDI) at the minimum rate in units of one (1) hour.

2. SDI payments to an employee who qualifies and who has accumulated and is eligible to use sick leave with pay credits shall be supplemented with sick leave with pay credits so that the total of SDI and sick leave with pay calculated in units of one-hour provides up to, but does not exceed, the regular gross salary the employee would have received for the normal work schedule excluding overtime.

3. An employee who wishes not to supplement, or who wishes to supplement with compensatory time or vacation, must submit a written request on a form prescribed by the General Manager, Personnel, to the appointing officer or designee within seven (7) calendar days following the first date of absence.

4. Employees who are supplementing SDI earn sick leave with pay credits at the normal rate only for those hours of sick leave with pay credits used.

Section 22.03. MILITARY, WAR EFFORT AND SEA DUTY LEAVES

A. Military Leave

1. Military Leave - Authority

Military leave is governed by the provisions of applicable Federal and State laws, by Charter provision and by this rule.

2. Time of War - Definition

The phrase "time of war" is defined in Section 8.324 of the Charter.

3. Military Leave - Time of War

Leaves of absence shall be granted to officers and employees for service in the armed forces of the United States or the State of California or for service on ships operated by or for the United States government in time of war and for a period not to exceed three (3) months after the conclusion of such service, but not later than one (1) year after the cessation of hostilities, except in case of disability incurred while in active service with the armed forces or the merchant marines when such disability shall extend beyond such period.

4. Military Leave - Time of Peace

Whenever any officer or employee shall, by order of the government of the United States or by lawful order of any of its departments or officers, or by lawful order of the State of California, or any of its departments or officers, be directed in time of peace to report and serve in the armed forces of the United States, or in the armed forces of the State of California, said officer or employee shall be entitled to a leave of absence from the employee's office or position during the time of such service and for a period not to exceed three (3) months after the expiration thereof.

5. Military Leave - Permanent Appointees

Any officer or employee on military leave, who prior to such leave has been appointed to a permanent position in the City and County service, shall be entitled to resume such position at the expiration of the leave, and in determining and fixing rights, seniority, salary and otherwise which have accrued and shall inure to the benefit of such officer or employee, the term of military leave shall be considered and accounted as part of the employee's service to the City and County.

6. Military Leave - Proof of Duty

Officers and employees requesting military leave shall file with the Civil Service Department a copy of the orders necessitating such service prior to the effective date of the leave of absence and upon return from such leave shall submit a copy of the discharge or release.

7. Military Leave - Salary While on Temporary Leave

Employees who have been employed by the City and County or any other public agency or have been on military duty for a period of not less than one (1) year continuously prior to the date upon which temporary military leave not exceeding one-hundred eighty (180) calendar days begins shall, as required by the State of California Military and Veterans' Code (Section 395), receive their regular salary or compensation for a period not to exceed thirty (30) calendar days of such military leave in any fiscal year or more than thirty (30) calendar days during any period of continuous military leave.

8. Military Leave - Probationary Appointees

Military leave taken during a probationary period shall not extend the probationary period.

9. Military Leave - Eligible Not Reached For Certification While in Service - Time of War

An eligible on a regular civil service list, who served on active military duty not including reserve service during time of war who presents an honorable discharge or certificate of honorable active service within one (1) year from the date of release from military service, shall be preferred for certification for a period of four (4) years after the cessation of hostilities in the order of standing upon the eligible list at the time of entrance into military service and before candidates procuring standing through an examination held subsequent to the entrance of such eligibles into the military service.

10. Military Leave - Eligibles Reached For Certification

a. If while in the military service, the name of an eligible was reached for certification to a permanent position and the eligible presents an honorable discharge or certificate of honorable active service within one hundred and twenty (120) days from the date of release from active military duty not including reserve service during time of war, the eligible shall be certified to a position in the class for which so reached; and, for all purposes of seniority, the date of certification if appointed, shall be deemed to be the date when the eligible was reached for certification while in the military service.

b. A person appointed in accordance with this section shall serve the required probationary period.

c. An eligible who is offered appointment in accordance with the provisions of this section and who waives appointment and is subsequently certified after withdrawal of waiver shall have seniority as of the date of such certification.

11. Military Leave - Participants in Written Examinations

Persons who participate in a written examination and who present their orders or other proof of service within one-hundred twenty (120) days from the date of release from active military service in time of war shall be allowed to participate in the remaining parts of the examination. If they meet all the eligibility qualifications, they shall be certified as of the date they would have been reached for certification in accordance with their rank based on the entire examination.

12. Military Leave - Employees or Officers Not Subject to Civil Service Examination

a. Military leave to an elected or appointed officer, appointed for a definite period of time, shall not be extended beyond the period of time for which elected or appointed, provided that if such officer is re-elected or reappointed, then military leave shall be automatically extended for such ensuing period of time.

b. Military leave to an employee occupying a position exempt from civil service examination shall not extend beyond the period of time for which the employee's appointing officer was elected or appointed.

B. War Effort Leave

The Board of Supervisors may provide by ordinance that leaves of absence shall be granted to officers and employees during time of war for service directly connected with the prosecution of the war or national defense or preparedness.

C. Leave for Sea Duty as Licensed Officers

In time of war or while any act authorizing compulsory military service or training is in effect, the Board of Supervisors may provide by ordinance that leaves of absence shall be granted to officers and employees for sea duty as licensed officers aboard ships operated by or for the United States government. The Commission shall amend this section to implement such ordinance.

Section 22.04. LEAVE TO ACCEPT OTHER CITY AND COUNTY POSITION

A. Leave by an employee who has completed the probationary period to accept exempt or temporary appointment in the City and County service may be approved for the duration of such appointment. Such leave by a probationary employee is subject to the provisions of the rule governing the probationary period.

B. Denial of such leave by the appointing officer is appealable as provided elsewhere in this rule.

Section 22.05. EDUCATIONAL LEAVE

A. Educational leave is defined as leave for the purpose of educational or vocational training in a field related to the employee's current position and as any training to which a veteran is entitled pursuant to the laws of the United States or the State of California.

B. Educational leave may be approved for permanent appointees for a period of up to one (1) year. Requests for educational leave of longer than one year must be renewed each year.

C. Denial of educational leave is appealable as provided elsewhere in this rule.

D. An employee on educational leave shall not accept other employment without approval of the appointing officer and the General Manager, Personnel, except for employment in vacant positions with the City and County during school vacations.

E. As soon as records are available, the employee shall periodically present to the appointing officer a record of completed educational work. These records shall be maintained in such a manner as to be readily available for audit by Commission staff. Failure to submit an acceptable record of completed educational work shall subject the employee to disciplinary action as provided in the Charter.

Section 22.06. LEAVE FOR CIVILIAN SERVICE IN THE NATIONAL INTEREST

A. Civilian service in the national interest is defined as leave to serve with a federal, state or other public agency or non-profit organization in a program or in a capacity which the General Manager, Personnel, deems to be in the national or general public interest.

B. Such leave may be approved for permanent appointees for a period of up to one year. Requests for such leave of longer than one year (1) must be renewed each year.

C. Denial of such leave is appealable as provided elsewhere in this rule.

Section 22.07. LEAVE FOR EMPLOYMENT AS AN EMPLOYEE ORGANIZATION OFFICER OR REPRESENTATIVE

A. Leave for employment as an employee organization officer or representative is defined as leave:

1. to serve full-time as an officer or representative of an employee organization whose membership includes City employees, or

2. to attend a convention or other type of business meeting of an employee organization as an officer or delegate of the employee organization.

B. Leave for permanent appointees may be approved for the duration of such service.

C. Denial of such leave is appealable as provided elsewhere in this rule.

Section 22.08. FAMILY CARE LEAVE

A. DEFINITION OF FAMILY

1. A unit of interdependent and interacting persons, related together over time by strong social and emotional bonds and/or by ties of marriage, birth and adoption, whose central purpose is to create, maintain, and promote the social, mental, physical and emotional development and well being of each of its members.

B. Permanent employees who have one (1) or more years of continuous service in any status may be granted up to one (1) year of unpaid family care leave for the following reasons:

1. The birth of a biological child of the employee.

2. The assumption by the employee of parenting or child rearing responsibilities. Family care leave does not apply to an employee who temporarily cares for a child for compensation, such as a paid child care worker.

3. The serious illness or health condition of a family member of the employee, the employee's spouse or domestic partner, a parent of the employee or the employee's spouse or domestic partner, the biological or adoptive child of the employee, or a child for whom the employee has parenting or child rearing responsibilities.

4. The mental or physical impairment of a family member of the employee, the employee's spouse or domestic partner, a parent of the employee or the employee's spouse or domestic partner, the biological or adoptive child of the employee, or a child for whom the employee has parenting or child rearing responsibilities, which impairment renders that person incapable of self-care.

C. Family care leave is unpaid leave. Such leave may be granted in addition to accumulated compensatory time off, vacation time, floating holiday time or sick leave as specified under Section 22.02(A)(3)(e) - Sick Leave - Illness or Medical Appointment of Child.

D. Denial of family care leave is appealable as provided elsewhere in this rule.

Section 22.09. WITNESS OR JURY DUTY LEAVE

A. An employee who is summoned as a witness on behalf of the City and County or juror for a judicial proceeding shall be entitled to leave with pay less the amount of juror or witness fee paid for the period required for such service (Charter Section 8.400.G). An employee who is summoned to serve as a witness in cases which involve outside employment or personal business affairs shall be placed on leave without pay unless vacation leave or compensatory time is requested and granted.

B. Paid witness or jury duty leave shall be only from an employee's scheduled duty time and shall not include hours outside of scheduled hours of work or on days off.

C. Such employees shall notify the appointing officer immediately upon receiving notice of jury duty.

D. An employee who takes vacation leave while on witness or jury duty leave shall receive regular salary.

E. Approved leaves granted under this section shall not extend the probationary period.

Section 22.10. HOLIDAY LEAVE

Holiday leave shall be as provided by Ordinance of the Board of Supervisors.

Section 22.11. VACATION LEAVE

Vacation leave shall be as provided in the Charter and by Ordinance of the Board of Supervisors.

Section 22.12. INVOLUNTARY LEAVE OF ABSENCE

In accordance with the provisions of these Rules governing layoffs, a permanent or probationary employee may be placed on an involuntary leave of absence.

Section 22.13. RELIGIOUS LEAVE

A. Employees may be granted leave when personal religious beliefs require that the employee abstain from work during certain periods of the work day or work week. Such leave shall be known as "Religious Leave."

B. Religious leave shall be without pay unless the employee elects to use accumulated compensatory time off, vacation time, or floating holiday time.

C. Denial of religious leave is appealable as provided elsewhere in this rule.

Section 22.14. PERSONAL LEAVE

A. Personal leave is defined as leave for reasons other than those covered in other sections of this rule.

B. Personal leave for permanent employees may be approved for a period of up to twelve (12) months within any two (2) year period. Personal leave for temporary or provisional employees may be approved only if replacement of the employee is not required and for a maximum of one (1) month.

C. On the request of an appointing officer, the General Manager, Personnel, may for reasons deemed to be in the best interest of the service approve extension of personal leave for permanent employees beyond a twelve (12) month period.

Section 22.15. UNPAID ADMINISTRATIVE LEAVE OR FURLOUGH

A. General Provisions

1. Notwithstanding Rule 32 - Layoff and Involuntary Leave, or any other provisions of these rules, an appointing officer is authorized to impose unpaid administrative leave (furlough) on any employee within that appointing officer's jurisdiction as provided in this section. The imposition of furloughs shall be subject to receipt of a Projected Deficit Notice (PDN) from the Controller stating that the department's budget will be insufficient to support the department's level of spending through the end of the fiscal year.

2. The authority of the appointing officer to impose furloughs shall be limited to those furloughs necessary to correct the projected deficit identified by the Controller.

3. This rule shall apply to all employees of the City and County.

4. The Superintendent of the San Francisco Unified School District and the Chancellor of the San Francisco Community College District shall also be authorized to furlough any employee in the classified service upon their individual determinations that, based upon a review of projected revenues and expenditures, the budget will be insufficient to support the District's level of spending through the end of the fiscal year.

5. No provision of Rule 32 - Layoff and Involuntary Leave, including but not limited to any provision regarding the order of layoff, displacement of less senior employees, or reinstatement, shall be applicable to any employees furloughed hereunder.

B. Voluntary Unpaid Time Off

1. Prior to imposing a furlough on any employee, an appointing officer shall attempt to determine, to the extent feasible and with due consideration for the time constraints which may exist for eliminating the projected deficit, the interest of employees within the appointing officer's jurisdiction in taking unpaid personal time off on a voluntary basis.

2. The appointing officer shall have full discretion to approve or deny requests for voluntary unpaid time off based on the operational needs of the department and any court decrees or orders pertinent thereto. The decision of the appointing officer shall be final except in cases where requests for voluntary unpaid time off in excess of ten (10) working days are denied. In such cases, an employee may appeal in accordance with the procedures provided below for appealing imposition of furlough.

3. An employee shall be entitled to take up to ten (10) unpaid days per fiscal year at the rate of no more than five (5) days in a three (3) month period, at the employee's discretion, upon at least fifteen (15) calendar days prior written notice to the employee's appointing officer. Such request shall not be denied except for the reason of a requirement that such position be filled on an overtime or premium pay basis, for essential operational needs or the requirements of a court decree or order.

C. Furloughs

1. Appointing officers are encouraged to (a) furlough entire operational units within departments rather than individual employees; or (b) stagger work hours within an operational unit on a reduced hours basis. The decision of the appointing officer to impose furloughs under this subsection, and the appointing officer's determination of what constitutes an operational unit, shall be final.

2. Where, in the discretion of the appointing officer, furlough of an operational unit as prescribed above is not feasible, individual employees within an operational unit may be furloughed.

3. To the extent practicable, furlough shall be equitably distributed among (a) all of the employees in the affected department or operational unit to which the Projected Deficit Notice (PDN) has application; and, (b) all of the employees in the affected class(es).

4. In determining which employees to furlough, an appointing officer shall consider citywide seniority within a class as well as considering the operational needs of the department.

5. In no event shall furlough be imposed upon an employee for more than four (4) days in any three (3) month period or ten (10) days in any fiscal year. Voluntary time off not to exceed a total of five (5) days per quarter or ten (10) days per year, approved pursuant to this section, shall be credited toward the maximum number of furlough days which may be imposed pursuant to this Rule.

6. Employees placed on furlough pursuant to this section shall be notified in writing at least fifteen (15) calendar days in advance of the effective date for the furlough.

7. The decision to furlough an individual employee within an operational unit shall be final except that an employee given notice of a furlough, which taken together with an employee's prior furloughs in the same fiscal year would exceed five (5) working days within any six (6) month period, may file an appeal. Such appeals must be in writing and filed within three (3) calendar days of the date of the notice of furlough with the Assistant Secretary with a copy to the appointing officer. Within three (3) calendar days after receiving the appeal, the Assistant Secretary shall refer the written appeal and the appointing officer's written comments, if any, for determination to the General Manager, Personnel, the Mayor and the Controller, or their designees, who shall meet on no less than twenty-four (24) hours public notice. The determination regarding the appeal shall be rendered within seven (7) calendar days of the date of the appeal. This decision is final and shall not be reconsidered by the Commission. The Assistant Secretary shall notify the employee and the appointing officer of the decision prior to the effective date of the furlough.

D. Restrictions on Use of Paid Time Off While On Voluntary Unpaid Time Off or Furlough

1. All voluntary unpaid time off or furlough imposed or granted pursuant to this section shall be without pay.

2. Employees granted voluntary unpaid time off or placed on furlough are precluded from using sick leave with pay credits, vacation credits, compensatory time off credits, floating holidays, training days or any other form of pay for the time period involved.

E. Imposition of Furlough - Fair Labor Standards Act (FLSA) Restrictions

1. Furlough for employees who are non-exempt under the Fair Labor Standards Act (FLSA) shall be imposed in minimum increments of one (1) hour.

2. Furlough for employees who are exempt under the Fair Labor Standards Act (FLSA) shall be imposed in minimum increments of one (1) day.

F. Vacation and Sick Leave with Pay Accruals While on Voluntary Unpaid Time Off or Furlough

Subject to passage of necessary ordinances by the Board of Supervisors, vacation and sick leave with pay accruals shall continue during (a) a maximum of ten (10) days of furlough in any fiscal year, or (b) a maximum of twenty (20) days for approved voluntary unpaid time off taken pursuant to this Section in any fiscal year.

G. Duration and Revocation of Voluntary Unpaid Time Off or Furlough

Furlough imposed upon an employee shall remain in force for the period specified in the written notice unless sooner revoked by written notice from the appointing officer. Approved voluntary unpaid time off taken pursuant to this section may not be changed by the appointing officer without the employee's consent.

H. Resolution of Disputes

Except as provided elsewhere in this section, the General Manager, Personnel, shall act on all disputes arising out of the application or implementation of the provisions of this section. The decision of the General Manager, Personnel, shall be final and shall not be reconsidered by the Commission.

Section 22.16. APPEAL PROCEDURES

A. Appeals concerning furloughs or voluntary unpaid time off are excluded from appeal under this section and are appealable as provided elsewhere in this Rule.

B. In cases where appeal is specifically granted in this rule, a dispute concerning the application or implementation of the provisions of this rule shall be processed EITHER, at the option of the employee; 1) in accordance with the grievance procedure provided elsewhere in these Rules, OR 2) by appeal in writing to the General Manager, Personnel, whose decision shall be final and shall not be reconsidered by the Commission. A decision under one option shall preclude the use of the other option.

RULE 23

STANDING AND SPECIAL COMMITTEES

Section 23.01. STANDING AND SPECIAL COMMITTEES - CREATION

The Commission shall establish such standing or special committees as it shall deem necessary. Standing Committees shall be composed of three (3) members and shall be appointed by the President of the Commission for terms of two (2) years.

Section 23.02. APPLICABLE RULES

The Civil Service Commission Rules shall be applicable in the conduct of all meetings of a Committee whenever practicable. Committees may by majority vote of its members adopt such additional rules not in conflict with the Civil Service Commission Rules as may be considered necessary for the conduct or consideration of any business referred to or initiated by such Committees.

Section 23.03. MEETINGS TO BE PUBLIC

Every meeting of a Committee shall be open to the public.

Section 23.04. TIME OF MEETING

A Committee shall meet at the time set by the Chairperson, or a majority of the Committee, in that order of priority.

Section 23.05. POWERS AND DUTIES OF CHAIRPERSON

The Chairperson shall have no vote on any substantive matter pertaining to matters coming before the Committee except to make or break a tie vote. The Chairperson shall set the calendar for meetings, authenticate by signing all documents issued or authorized by order of a Committee and decide all questions of order. Any member of a Committee who disagrees on the ruling of the Chairperson on any matter may appeal from the decision thereon, and the vote of any two (2) members of a Committee shall decide the appeal.

Section 23.06. COMMITTEE HEARING AND ACTION

A Committee, after a measure has been referred to it, shall hold a public hearing or hearings thereon and may invite or subpoena witnesses for testimony. A Committee may recommend to the Commission the enactment, defeat, tabling, or amendment of such measure and make take such other action with respect thereto as is necessary and proper under the rules or law.

Section 23.07. CALLING A MEASURE

At any time after ninety (90) days subsequent to reference of a measure to a Committee, the Commission, by a majority vote of its members, may order that such measure be returned to the Commission within a specified time limit, in which event the Secretary of the Commission shall notify every individual (or by publication all ascertainable interested parties) that the measure has been called out of Committee and will be considered by the full Commission on a specified date.

Section 23.08. SUBPOENA POWERS AND TESTIMONY UNDER OATH

The subpoena powers granted the Commission under the Charter shall devolve upon the Committees. Any member may require any witness before a Committee to testify upon oath or affirmation administered by a notary-certified shorthand reporter, who shall attend and take down verbatim all proceedings if practicable.

RULE 24

APPRENTICESHIP PROGRAM

Section 24.01. PURPOSE AND POLICY

The Civil Service Commission declares it to be its purpose and policy to establish an organized, planned system of apprenticeship training to be conducted as a joint labor and management undertaking. In accordance with this policy, the following procedures are set forth and are in accordance with the Shelley-Maloney Apprentice Labor Standards Act of 1939, as amended, and the pertinent sections of the Charter and Civil Service Commission Rules.

Section 24.02. JOINT APPRENTICESHIP COMMITTEE:

Organization and Overall Purpose:

1. There is hereby established a Joint Apprenticeship Committee of the City and County of San Francisco to assist the General Manager, Personnel, in carrying out a City and County-wide program of apprenticeship training. The overall purpose of the Joint Apprenticeship Committee is to foster and promote apprenticeship programs in several departments, to recommend to the Commission the trades to be included in the apprenticeship program and the standards for such training, to establish craft committees and to confirm appointments to such committees, to execute apprenticeship agreements, to hear complaints of apprentices and to perform such other duties as may be assigned by the General Manager, Personnel, or the Commission.

2. The members of the Joint Apprenticeship Committee shall be appointed by the Commission and shall be comprised of the following membership:

The General Manager, Personnel, or designee.
The Chief Administrative Officer or designee.
The General Manager of the Public Utilities Commission or designee.
Three permanent City and County civil service employees who shall be journey-level members of different crafts subject to apprenticeship agreements.
One representative of a recognized craft association or union who is not a City and County employee.
One representative of a recognized employers' organization who is not a City and County employee.
One advisory member from the California Division of of Apprenticeship Standards.
One advisory member from the School Districts.

3. Each member shall serve for three (3) years or until a successor is appointed. Advisory members shall be entitled to notice of all meetings, to attend such meetings and to be heard, but shall not have the right to vote.

4. The standards and procedures hereinafter established are made subject to all of the provisions of the Charter, the Ordinances of the Board of Supervisors, the Civil Service Commission Rules and the provisions of the California State Apprenticeship Labor Standards Act. Any provision hereof which may be in conflict therewith is null and void.

5. The State Administrator of Apprenticeship shall be notified of any modification in the Charter, Ordinances or Rules of the Commission which may affect apprenticeship programs.

6. For trades that have a functioning joint apprenticeship committee, approved by the Division of Apprenticeship Standards and having a representative of the School Districts in which the apprentice is indentured to the trade joint apprenticeship committee and rotation of employment by work processes and trade attitudes is required to assure that the apprentice is exposed to the greatest variety of mechanical and trade philosophy during apprenticeship. The City shall recognize the standards of the trade joint apprenticeship committee and secure apprentices through the appropriate trade Joint Apprenticeship Committee in the same manner as any other employer and meet with all the trade Joint Apprenticeship Committee requirements.

Section 24.03. FUNCTIONS OF THE JOINT APPRENTICESHIP COMMITTEE

A. The Joint Apprenticeship Committee shall use its best endeavors to set up and carry out within the City an In-Service Training Program for the purpose of enabling such apprentices to learn and acquire a specified trade or craft. The Joint Apprenticeship Committee shall encourage the development of apprenticeship programs in the several departments and shall review requests by the departments for establishment of apprenticeship programs and shall recommend approval or disapproval of such requests on the basis of required standards. The program shall comply with the provisions of applicable veteran's legislation if the apprentice is a veteran who plans to use veteran's benefits in conjunction with the training.

B. The Joint Apprenticeship Committee shall by rule, subject to approval of the Commission, provide for its own organization and establish standards for an apprenticeship program. Such rules shall include, but shall not necessarily be limited to, the following:

1. Provision for the election of a chairperson, a secretary and other officers as they deem advisable and to fix their duties and terms of office, provided that the General Manager, Personnel, or designee acts as executive secretary and provides necessary liaison between all parties;

2. Provision for the holding of regular meetings and the maintenance of records of its deliberations and actions;

3. Provision for the supervision of the administration and enforcement of the rules and standards;

4. Provision for the recommendation to the Commission of qualifications to be established for apprentices;

5. Provision for the development of recommendations to the Commission for fair and impartial selection procedure in accordance with existing laws and uniform application of such procedures in the selection of applicants for apprenticeship;

6. Provision for the evaluation of the prior experience and training of apprentices and for the granting of appropriate credit due to either training on-the-job or related or supplemental instruction;

7. Provision for the investigation and evaluation of apprentice training in progress;

8. Provision for first-aid training for all apprentices;

9. Provision for passing upon the training qualifications of employers who are members of any employee organization signatory to any apprenticeship agreement as well as other employers who may be involved in this program;

10. Provision for continuous employment insofar as possible of all apprentices as well as well-rounded, diversified training in all of the job processes of the craft and to that end to make provision for procedures for the transfer and assignment of apprentices from one department to another;

11. Provision for the establishment and maintenance of appropriate and required records;

12. Provision for serving in an advisory capacity for the school program when designated by the Board of Education as an advisory committee;

13. Provision for the termination of the completion by an apprentice of training and in connection therewith to submit such evidence to the Secretary of the State Apprenticeship Council together with a recommendation for the issuance of a State Certificate of Completion;

14. Provision for the adjustment or determination of disputes and complaints, including provision for an appeal procedure to the State Administrator of Apprenticeship.

Section 24.04. DUTIES AND RESPONSIBILITIES OF EMPLOYER AND PARTICIPATING CRAFTS

The Joint Apprenticeship Committee shall provide for the duties and responsibilities of the employer and employee groups participating in the program.

Section 24.05. DUTIES OF APPRENTICES

The Joint Apprenticeship Committee shall provide a definition of apprentices and shall establish the duties and responsibilities of the apprentices.

Section 24.06. ORGANIZATION AND FUNCTION OF CRAFT COMMITTEES

The Joint Apprenticeship Committee shall provide for the organization and for the duties and responsibilities of craft committees.

Section 24.07. RESOLUTION OF DISPUTES

Controversies regarding the apprenticeship program or the rules, established standards or agreements under such standards, which cannot be adjusted by the Joint Apprenticeship Committee or the Commission shall be submitted to the Administrator of Apprenticeship for determination as provided for in Section 3081 of the California State Labor Code.

RULE 25

ABSENCE FROM DUTY WITHOUT LEAVE

Section 25.01. WHEN FIVE DAYS OR LESS

Absence from duty without proper authorization for any period of time up to and including five (5) or less working days shall be cause for disciplinary action by the appointing officer.

Section 25.02. WHEN OVER FIVE DAYS - AUTOMATIC RESIGNATION

A. Absence from duty without proper authorization in excess of five (5) continuous working days shall constitute abandonment of the position and shall be reported to the Civil Service Department and recorded as an automatic resignation. The appointing officer shall notify both the Commission and the employee on the form prescribed by the General Manager, Personnel. The employee shall be notified by certified mail.

B. Such resignation shall be subject to appeal to the Commission, if so requested by the person in writing, within fifteen (15) calendar days of the mailing date of the notice of automatic resignation. The fifteen (15) days includes the date on which the notice was mailed. The Commission shall hear such appeal. The decision of the Commission shall be final and shall not be reconsidered.

C. Failure to appeal within the fifteen (15) day period shall result in:

1. The cancellation of all current examination and eligibility status.

2. The review and approval of the General Manager, Personnel, of all future applications after satisfactory completion of one (1) year's work experience outside the City and County service, and

3. The determination that the resigned employee may not be employed in the same department in the future.

D. If the person can present evidence in writing of being unable to communicate with the appointing officer within thirty (30) calendar days of being able to so communicate, the automatic resignation may then be subject to reconsideration by the Commission. All requests for reconsideration will be in writing and will be processed in accordance with the procedures for reconsideration outlined in Rule 5.

E. Pending final action pursuant to this Rule, an individual under automatic resignation shall be placed under waiver on all eligible lists on which the individual's name appears.

F. In consideration of an automatic resignation the Commission shall take one or more of the following actions:

1. Deny the appeal and approve the resignation,

2. Order the name of the person removed from any other eligible list or lists on which the person's name appears,

3. Restrict participation in further examinations as it sees fit,

4. Return the name to the eligible list under such conditions for further appointment as it deems appropriate, or

5. Disapprove the resignation.

Section 25.03. PROCESSING RESIGNATIONS WHEN NO WRITTEN NOTICE

The resignation procedure outlined in Section 25.02 shall not be used to remove employees who have indicated their intention to resign and who leave their positions in good standing without submitting a properly completed resignation and who cannot be located for the purpose of signing a resignation. Such employees are to be separated in accordance with Rule 33 by submission from the appointing officer of an unsigned resignation with a letter of explanation attached. A copy of both the resignation and the accompanying letter are to be sent to the employee by certified mail.

Section 25.04. HEARING PROCEDURES

Hearings pursuant to this rule shall be conducted in accordance with the procedures outlined in the Civil Service Commission Rules 6.01 and 5.13.

Section 25.05. EFFECTIVE DATE

The provisions of this rule as adopted on April 4, 1977, will be in effect on April 13, 1977.

RULE 26

TEMPORARY ASSIGNMENTS OUTSIDE OF CLASSIFICATION

Section 26.01. TEMPORARY ASSIGNMENTS OUTSIDE OF CLASSIFICATION - POLICY AND DEFINITION

A. In accordance with this Rule, appointing officers in their discretion may exercise their Charter authority to assign an employee to perform any of the duties of the department to which appointed and to make any temporary assignment to maintain the provision of any public service.

B. "Temporary assignment" means the assignment of an employee without change in classification to perform the normal day-to-day duties and responsibilities of another classification. Records of such temporary assignments out of class shall be placed in the employee's personnel file.

1. "Temporary assignment" is distinguished from "temporary appointment" which refers to an appointment to a differently classified position in accordance with Civil Service appointment provisions and in accordance with budgetary requirements.

2. "Temporary assignment" is further distinguished from a short term or regular assignment of a minor portion of work duties which are allocated to a different classification, but which are generally related to the regular duties or level of responsibility of the employee's current class.

C. The General Manager, Personnel shall be responsible for administering and making effective the provisions of this Rule, and establishing such administrative controls and procedures as may be necessary.

D. Temporary assignments shall not be made when an appointment based on the regularly established rules and procedures of the Civil Service Commission can be made. Temporary assignments outside of class may be approved while an appointment through the established procedures is pending.

E. When a temporary assignment is in order, selection and retention shall be at the discretion of the appointing officer or designee.

Section 26.02 IMPLEMENTATION OF PAY PROVISIONS WHEN AUTHORIZED

A. When pay for temporary assignments is authorized by ordinance, periods of absence during temporary assignment due to leave in a paid status do not constitute a break in service for the purpose of computing any service requirement for eligibility for acting assignment pay. Employees shall not be rotated in or removed from a temporary assignment in order to deprive the employee of or to avoid liability for acting assignment pay.

B. When a temporary assignment has been made by the appointing officer and acting assignment pay is denied, the employee shall not be required to continue to perform the duties of the higher class beyond the date of eligibility for pay; provided, however, that the employee may elect to continue to perform the duties of the temporary assignment without additional compensation. If the employee elects to continue in the temporary assignment, the appointing officer shall resubmit the request for acting assignment pay. If the employee does not elect to continue the temporary assignment, the appointing officer may assign such duties to other employees.

1. APPEAL OF APPOINTING OFFICER'S DECISION

A dispute concerning an appointing officer's decision on implementation and application of this section shall be submitted to the appointing officer or designee who may hold a meeting with the employee and shall render a decision within ten (10) business days of the date of the submission. The decision of the appointing officer or designee shall be final unless that decision is appealed in writing within ten (10) business days through the Commission Office EITHER, at the option of the employee, provided however, the use of one option shall preclude the use of the other option:

a. to the General Manager, Personnel subject to appeal to the Commission under the provisions of Rule 5, Section 5.06; OR,

b. to a fact-finding panel:

i. This panel shall consist of three (3) persons: one (1) person shall be designated by the Civil Service Commission who shall be selected from among persons nominated by appointing officers; one (1) person shall be designated by the employee organizations; and one (1) person shall be designated by the General Manager, Personnel who shall be an employee of the Civil Service Commission and who shall be the chair of the panel. A panelist shall serve until that person is replaced or resigns. Each designating authority shall appoint at least one alternate for its panelist.

ii. This panel shall constitute the Civil Service Commission's designee for purposes of hearing and determination of an appointing officer's decision on implementation and application of this section.

iii. The decision of the panel shall be final unless a written request for reconsideration is received by the Civil Service Commission within ten (10) business days of the panel's decision. Such requests for reconsideration shall be processed in accordance with Civil Service Commission Rule 5, Section 5.07, except, if the decision of the panel is unanimous, the concurrence of four (4) commissioners shall be required for reconsideration to be granted. If there are less than five (5) members on the Commission at the time the reconsideration request is processed, then the concurrence of a majority of all the members of the Commission shall be required for reconsideration to be granted.

2. TIME LIMITS: GRIEVANCE EXCLUSION

Failure to appeal the decision of the appointing officer, the General Manager, Personnel or the fact-finding panel within the time limits provided shall forfeit the use of the appeal process. Decisions of an appointing officer, the fact-finding panel or the Civil Service Commission on the implementation and application of this section shall not be subject to grievance procedures provided elsewhere in these Rules.

RULE 27

TEMPORARY EXCHANGES FOR TRAINING PURPOSES

Section 27.01. TEMPORARY EXCHANGES FOR TRAINING PURPOSES

A. Except for employees represented by the Transport Workers Union (TWU), employees holding permanent civil service appointment in positions under different appointing officers or in another public agency, may, upon their written request and with the approval of the appointing officers concerned and the General Manager, Personnel, be exchanged in positions in the respective departments or other public agency for a period not to exceed one (1) year for training and development purposes; provided that the employees so exchanged must be permanent employees in the same class or in occupations deemed by the General Manager, Personnel, to be closely related in duties and responsibilities, training and experience requirements, and further provided that such temporary training service may be terminated by either appointing officer at any time during such training period.

B. Employees so exchanged will remain on the permanent payroll of their regular department and time reports will be maintained in the second department or other public agency and submitted to the original department for timekeeping purposes. Exchange assignments shall be recorded on employee history cards and employees shall be credited for the performance of the duties in the exchanged position. Employees temporarily assigned for training and development under this section of the rule will be considered as employees of the original department for any disciplinary action necessary under the Charter.

RULE 28

EMPLOYEE TRAINING REIMBURSEMENT PROGRAM

Section 28.01. WHO MAY APPLY FOR REIMBURSEMENT

A. Any employee or officer holding regular appointment to a full-time, permanent position within the City service or the School Districts, and who has served a minimum of one (1) year continuous permanent service in any class immediately prior to receipt of application, may apply for tuition reimbursement in accordance with the provisions of this rule and the provisions of the Administrative Code.

B. Applications for reimbursement shall be prepared in duplicate on a special form provided by the Civil Service Department. The original of such form shall be forwarded to the Civil Service Department, and a copy shall be retained by the employee. Such application for reimbursement shall be made prior to the date of enrollment in the course and if approved by the Commission, reimbursement shall be subject to successful completion of the course and availability of funds. The employee so reimbursed must agree to remain in the employ of the city for at least two (2) years following completion of the training course. If an employee resigns from the City within the two (2) year period and the employee withdraws funds from the Retirement System, the amount of the tuition reimbursed shall be repaid by the employee to the city by cash payment or out of the employee's last pay warrant or retirement earnings.

Section 28.02. TRAINING FOR PROMOTION OR ADVANCEMENT

A. An eligible employee or officer may apply for reimbursement for a training course pertaining to the duties of a higher classification when such course is given outside of regular working hours by an accredited educational institution. Accredited educational institutions shall be defined as institutions whose courses offered for credit are acceptable for regular examination given by the Commission. Subject to the budgetary and fiscal provisions of the Charter, the employee or officer shall be reimbursed one-half of the cost of tuition for said course if attendance has been approved in advance and funds have been appropriated and are available. The Commission will verify that the employee has satisfactorily completed the course with a passing grade. If the course is not graded, or is not a credited course, an official transcript or other official document from the accredited school certifying completion of the course shall be deemed evidence of satisfactory completion.

B. No reimbursement shall be made if the employee or officer is eligible to receive reimbursement for said tuition under a Federal or State Veterans' benefit program or from other public funds.

C. If the employee or officer's application for training reimbursement, under the provisions of this section, does not receive the appointing officer's recommendation, the employee may appeal to the Commission. The Commission shall then inquire into the reasons of the appointing officer's disapproval of such application, and the Commission shall thereupon make such order as it deems just, and said order shall be final.

Section 28.03. TRAINING FOR WORK IN PRESENT CLASSIFICATION

A. An eligible employee or officer may apply to the Commission through the appointing officer for reimbursement in a training course given by an accredited educational institution during or outside working hours for the purpose of improving performance in the present classification.

B. Accredited educational institutions shall be defined as institutions whose courses offered for credit are acceptable for regular examination given by the Commission. The Commission shall be the judge of whether such training meets the criteria of improving performance in the employee's present job, and whether the training can be provided through available in-service activities. Subject to the budgetary and fiscal provisions of the Charter, the employee or officer shall be reimbursed for tuition, supplies, books, and other fees for such course if attendance has been approved in advance, and funds have been appropriated and are available. If attendance is during regular hours, it shall be considered a duty assignment for the purpose of payment of salary. The Commission will verify that the employee has satisfactorily completed the course with a passing grade. If the course is not graded, or is not a credited course, an official transcript or other official document from the accredited school certifying completion of the course shall be deemed evidence of satisfactory completion.

C. If the employee or officer's application for training reimbursement, under the provisions of this section, does not receive the appointing officer's recommendation, the employee may appeal to the Commission. The Commission shall then inquire into the reasons for the appointing officer's disapproval of such application, and the Commission shall thereupon advise the appointing officer as it deems just.

Section 28.04. EDUCATIONAL INSTITUTION - WHEN ACCREDITED

The Commission shall be the judge of whether an educational institution is properly accredited for the purpose of this rule. The appointing officer shall consider the employee's record of performance in making recommendations.

Section 28.05. 20/20 WORK-TRAINING PROGRAM

A. Employees under permanent civil service appointment upon application, may be assigned with pay, not to exceed twenty (20) hours in any one (1) week, to attend classes during regular working hours in educational institutions approved by the General Manager, Personnel, subject to the availability of funds for replacement where replacement is required subject to the following:

1. Permission to attend classes during regular working hours must be recommended by the appointing officer and approved by the General Manager, Personnel, subject to the availability of funds for replacement where replacement is required.

2. The class or classes to which the employee would be promoted will be listed by the Commission and must be in promotive classes where there is a continuing shortage of qualified employees to fill all vacancies.

3. Such assigned time with pay for educational purposes shall only be granted when the class session is during a regular work shift and the employee cannot be reassigned to another work shift.

4. Such assigned time for educational purposes shall not be granted if the course is available at a time other than the employee's regular work shift.

5. Such assigned time for educational purposes with pay shall not be granted to employees who are eligible for other benefits through the Veterans' Administration, the State Department of Veterans' Affairs or other benefit programs.

6. The department head will be responsible for reviewing and checking the attendance of the employee in class during the specified assigned time and the employee on such assigned time must return to work status when school is not in session.

7. Employees granted such time to attend classes who leave the service by resignation prior to a two-year period following completion of the educational course or courses shall be subject to withholding from their final pay check or retirement contributions an amount equivalent to the payroll cost of such assigned time for educational purposes.

RULE 30

PERSONNEL SERVICE RECORDS

Section 30.01. PERSONNEL SERVICE RECORDS

The Commission shall establish, in accordance with Charter provision, a personnel service record system for the purpose of compiling information useful in the evaluation of employees for promotion and other purposes. Pending the establishment of an effective service record system, appointing officers are required to submit a "Report of Performance of Probationary Appointee" which will be filed with the Civil Service Department during the fifth (5) month of the employee's probationary period.

RULE 29

PART-TIME EMPLOYMENT OR ACTIVITY IN ADDITION TO FULL-TIME CIVIL SERVICE EMPLOYMENT

Section 29.01. CHARTER RESTRICTION

No officer or employee of the City shall engage in any activity, employment, business, professional work or enterprise which is inconsistent, incompatible, or in conflict with official or assigned duties, or with the duties, functions and responsibilities of the employee or officer's appointing power, or the department, office or agency by which employed. Rules and regulations to effectuate the purposes and intent of the Charter may provide restrictions against activities, employment, and enterprise when such restrictions are found necessary for the preservation of the honor or efficiency of the City civil service, or for the protection of the best interests of the City service in any respect. (Section 8.105 of the Charter.)

Section 29.02. ADDITIONAL PART-TIME EMPLOYMENT

A. Except with the approval of the Commission as herein provided, no person holding a full-time position under permanent or temporary civil service appointment (other than officers and members of the Fire and Police Departments who are subject to the rules of their respective Commission), shall engage in any employment, position or service (hereinafter for purposes of this section referred to collectively as "employment") in or or out of the service of the City in which the employee is required to perform any duties for another employer or appointing officer, and for which the employee is to receive compensation in any form, including salary, wage, fee, commission or emolument.

B. Officers or employees who offer their services as independent contractors are not required to obtain approval of the Commission under Section 29.02. of this rule but are governed by the provisions of Section 29.03. An independent contractor is one who is rendering services for another and is not under the control and direction of the other but is in the pursuit of an independent calling. For purposes of this rule, the determination of an individual's status as an independent contractor is based upon a review of the person's income from the secondary activity, i.e., if deductions are made for Worker's Compensation, Social Security or Unemployment Insurance, then the person is not considered to be an independent contractor.

C. Approval of the Commission in accordance with the provisions of this rule shall be requested on a form provided by the Civil Service Department. Such form shall include the following:

1. Approval of the appointing officer;

2. A statement reporting the nature of the other part-time employment;

3. The usual place of such other employment and the work schedule and number of hours of service required of the employee per day and per week;

4. The signature of the official or person for whom or under whom the employment is to be performed, and a statement by such person that it is understood that the employee is regularly employed in the City service on a full-time basis; and

5. A statement that approval, if granted, shall not be for more than six (6) months, and if extension is desired, a new request form must be submitted.

D. Requests to engage in additional employment under the provisions of this rule will not be approved by the Commission unless the following conditions are complied with:

1. That the employment will not impair the efficiency or interfere in any way with the full and proper performance of the employee's regular civil service employment.

2. That the employment will not be in a field where substantial unemployment exists.

3. That reason exists such as economic need or other special reason for the employee to engage in such employment.

4. That the performance of such employment is in no way inconsistent, incompatible or in conflict with assigned civil service duties or responsibilities of the employee's department or appointing officer.

5. That the performance of such employment will not be contrary to the interests of the City service generally and will not lead to situations which would reflect discredit on the City service.

6. That such employment will not require more than twenty (20) hours per week, nor more than three (3) hours in any day, or involve any duty whatsoever of the employee during the employee's regular civil service work schedule. An exception to the limitation of three (3) hours of employment on any day may be made by the Commission when the additional employment is for the purpose of accepting relief assignments in any emergency service of the City government or when the Commission deems that other compelling reasons exist for the approval of an exception to the three (3) hour limitation.

7. That the employment will not be in a hazardous occupation that would involve a substantial risk of injury to the employee. The Commission will determine whether such employment is unduly hazardous and will be guided in its determination by the Manual of Rules, Classifications and Basic Rates for Workers' Compensation Insurance as published by the California Inspection Rating Bureau.

Section 29.03. ACTIVITIES OTHER THAN ADDITIONAL EMPLOYMENT, WHERE INCOME, PROFIT, OR OTHER GAIN IS OR MAY BE ACCRUED

A. No officer or employee shall participate in any activity or enterprise where income, profit or other gain is or may be accrued, which could reflect on the honor or efficiency of the City service, or be contrary to the best interests of the City service in any respect.

B. Appointing officers shall report to the Commission those activities or enterprises which, in accordance with the provisions of this section, should be prohibited to specific classifications or positions or departmental units under their jurisdiction.

C. The Commission shall calendar such report of the appointing officer for hearing and shall give notice of such hearing to parties of interest. If the report, or any part of the report, of the appointing officer is approved by the Commission, the appointing officer shall make such information concerning the approval by the Commission known to each employee affected, and the engagement in any such activity or enterprise shall thereafter be prohibited.

D. No officer or employee shall be involved through secondary parties in the engagement of any activity or enterprise which the employee is prohibited from engaging in directly, nor in that connection shall the employee lend, convey or authorize the use of any information or resources under the employee's control.

Section 29.04. PENALTIES

Violation of this rule shall be deemed insubordination, subject to disciplinary procedures as provided in Sections 8.341 and 8.342 of the Charter.

Section 29.05. GENERAL MANAGER TO ACT ON REQUESTS

The General Manager, Personnel, is authorized to consider and act on requests for approval of part-time employment or activity in addition to full-time civil service employment in accordance with the provisions and requirements of this rule and subject to the appeal provisions of Rule 5, Section 5.07.

RULE 31

OVERTIME

Section 31.01. DEFINITION

A. Overtime is hereby defined to mean time worked in excess of regular work schedules as provided by the Salary Standardization Ordinance.

B. Absence from duty because of leave with pay, military leave with pay, annual vacation or legal holidays shall be considered as time worked in computing a work week for overtime purposes.

Section 31.02. PART-TIME EMPLOYEES

Part-time employees shall not receive overtime pay or compensatory time off except as may be provided by ordinance.

Section 31.03. OVERTIME - EXECUTIVE, ADMINISTRATIVE OR PROFESSIONAL EMPLOYEES

A. Time Off To Compensate For Overtime Worked

1. In accordance with the provisions of the Salary Standardization Ordinance, appointing officers may allow compensatory time off for overtime worked to employees occupying executive, administrative or professional positions where such employees occupy classes specifically authorized for compensatory time off as designated in the Annual Salary Ordinance.

2. Records of overtime worked by the employees referred to in this section shall be maintained in the departments in such manner as to be readily available for audit, review or analysis by the Commission staff.

3. All time off allowed because of overtime worked shall be indicated in hours on timerolls by use of the appropriate symbols as designated by the Controller.

B. Transfer Between Departments of Compensatory Time Off

Employees may transfer their accumulated compensatory time off or a portion thereof to a different department with the approval of the appointing officer in the new department.

C. Compensatory Time Off - Special Provision

Appointing officers may approve the use of compensatory time off for employees in classes where payment of overtime is authorized when the employee was formerly employed in an executive, administrative or professional position and has accumulated compensatory time off.

D. Cash Payment For Overtime

Unless specifically provided for by ordinance, no cash payment for compensatory time shall be allowed.

E. Use of Compensatory Time To Supplement State Disability Insurance

An appointing officer may allow an employee to supplement State Disability Insurance (SDI) with compensatory time off in minimum units of one (1) hour so that the total of State Disability Insurance and compensatory time off equals, but does not exceed, the regular gross salary the employee would have received for the normal work schedule excluding overtime.

F. Finality of Appointing Officer's Decision

The decision of the appointing officer in matters related to compensatory time off shall be final, except as otherwise provided in these Rules, Ordinances or the Charter.

RULE 32

LAYOFF AND INVOLUNTARY LEAVE

Section 32.01. RULE PRESCRIBED - AUTHORITY

A. Under the authority of Section 3.661 of the Charter of the City and County of San Francisco, the Civil Service Commission of the City and County of San Francisco does prescribe and adopt the following rule which shall have the force and effect of law.

B. The General Manager, Personnel, shall be responsible for administering and making effective the provisions of this rule, and establishing such administrative controls as may be necessary.

C. In all matters pertaining to interpretation of this rule, the decision of the Commission shall be final.

Section 32.02. SENIORITY - DEFINED

A. Except as may otherwise be provided in this rule, seniority shall be defined as follows:

PERMANENT	1. Seniority for permanent appointees shall be determined by the date of certification which resulted in a permanent appointment to a position in a class in a department. Seniority for appointees granted status or permanent tenure to a class shall be determined by the date of certification in the class from which status or permanent tenure was granted.
TEMPORARY FROM ELIGIBLE LIST	2. Seniority for temporary employees appointed from an eligible list shall be determined by the date of certification which resulted in a temporary appointment to a position in a class in a department.
LIMITED TENURE	3. Seniority for limited tenure appointees shall be determined by the date an appointee starts to work in a current continuous limited tenure appointment in a department. Seniority in the event of ties shall be determined by the appointing officer whose decision shall be final.

B. Excluding involuntary leave as provided elsewhere in this rule, seniority shall not be affected or reduced by current or previous periods of authorized leave of absence or authorized reduction in work schedules.

C. In calculating permanent seniority in a class, temporary seniority in the same class shall not be added to permanent seniority in a class.

D. In calculating temporary seniority in a class, permanent seniority in the same class shall be added to temporary seniority in a class.

Section 32.02-contd.

E. Tie Scores

1. In the event of ties, seniority of civil service appointees shall be determined by rank on the eligible list. In determining rank, earlier eligible lists have priority over later eligible lists and promotive lists have absolute priority over entrance lists.

2. In the event of a tie in rank among appointees from lists of eligibles adopted on or after December 6, 1991, except for members of the uniformed ranks of the San Francisco Fire Department, the methods listed below shall be used to determine seniority in the following order of priority until the tie is broken.

a. First, the appointee with the longest continuous service in the class under permanent civil service appointment regardless of department shall be ranked above appointees with lesser service in the class;

b. Then, the appointee with the longest continuous citywide service under permanent civil service appointment regardless of class shall be ranked above appointees with lesser citywide service;

c. Finally, if the tie has not been broken by the preceding methods, it shall be broken by lot in the manner prescribed by the General Manager, Personnel and conducted under the supervision of the General Manager, Personnel, or a designee. The decision of the General Manager, Personnel shall be final and shall not be reconsidered by the Commission.

d. In no case shall service before resignation and reappointment or discharge and reemployment be included in determining length of service for the purposes of this section.

3. Ties in seniority among members of the uniformed ranks of the San Francisco Fire Department appointed from lists adopted on or after December 6, 1991 shall be determined by a rule adopted by the Fire Commission. This rule and any amendments thereto shall be subject to the approval of the Civil Service Commission, and when so approved by the Commission, shall be deemed as included in this subsection.

F. For the purposes of calculating the seniority of non-civil service or limited tenure employees, all periods of time served in the most recent continuous temporary or limited tenure appointment shall be combined and the cumulative total derived thereby shall be used to determine seniority. Non-civil service employees who were previously limited tenure or temporary civil service in a current continuous appointment shall be treated as limited tenure for the purposes of layoff.

G. Seniority acquired in a recognized craft apprenticeship program with the City and County shall be added to seniority in the journey-level class.

Section 32.03. ESTABLISHMENT AND VERIFICATION OF SENIORITY ROSTER

A. When a layoff is imminent, an appointing officer shall notify the Commission as to the class or classes affected.

B. If requested by the General Manager, Personnel, the appointing officer shall provide a seniority roster including, but not limited to, the name, status, certification date, and rank on eligible list of all employees in the affected classes and the number of such employees to be laid off.

Section 32.03-contd.

C. The General Manager, Personnel, upon verification of the seniority roster, shall notify the appointing officer of the names of those employees to be laid off.

D. Whenever possible the appointing officer must notify affected employees sufficiently in advance of a layoff.

Section 32.04. ORDER OF LAYOFF

Except as may otherwise be provided in this rule, layoff of employees shall be by inverse order of seniority in a class and department in the following order of absolute priority:

A. Non-Civil Service
B. Limited Tenure
C. Temporary From Eligible List
D. Probationary
E. Permanent

Section 32.05. EXCEPTIONS TO ORDER OF LAYOFF

A. Limited tenure employees, who qualified for their positions as a result of meeting specific hiring criteria and who are appointed under specific funding guidelines which limit the duration of employment shall be laid off at the end of their designated tenure without effect on any other employees.

B. Persons appointed to positions requiring special qualifications or skills shall be laid off when the work requiring such special qualifications or skills is completed, providing such appointees shall have rights to continue employment within their class in positions where the special qualifications or skills are not required if their name has been reached for certification to a regular position.

C. In the event of a layoff, a person appointed to a position requiring special qualifications or skills as approved by the General Manager, Personnel, shall continue in the position unless a more senior employee or holdover in the class in which the layoff occurs possesses the same qualifications and skills. The General Manager, Personnel, may administer such tests as deemed necessary to determine possession of special qualifications and skills.

D. All exceptions to the order of layoff shall require the express approval of the Commission.

Section 32.06. LAYOFF - TEMPORARY APPOINTEES

A. Non-Civil Service Appointees

Non-civil service appointees shall be laid off at the discretion of the appointing officer.

B. Limited Tenure Appointees

The layoff of a limited tenure appointee shall be governed by the following provisions:

1. The limited tenure appointee with the least seniority in the class in the department shall be laid off first except if a more senior limited tenure appointee elects to be laid off. In the event of a conflict, the limited tenure appointee with the greater seniority shall have preference.

Section 32.08(C)-contd.

2. or, as directed by the General Manager, Personnel, appointed in rank order of seniority to a position not filled by a permanent employee in any other city department in the class held on a permanent basis immediately prior to appointment in the class from which laid off.

3. or, if options 1 and 2 are exhausted or if the employee had no permanent status prior to appointment in the class from which laid off; the employee, subject to the approval of the Commission, may be appointed to a position in a class similarly related to the class from which the layoff occurred provided such action shall not adversely affect an incumbent certified from an eligible list. The General Manager, Personnel, shall designate and recommend such classes to the Commission.

D. Requirement for Probationary Period

Reinstatement to a position other than the position in the class and department in which permanently employed immediately prior to appointment in the class from which laid off shall require the appointee to serve a new probationary period.

E. Seniority Date Upon Reinstatement

1. Employees who are reinstated to a position held on a permanent basis immediately prior to appointment in the class from which laid off shall return with their original seniority date in the class.

2. Employees who are reinstated to a position in which they have had no prior permanent service shall have seniority calculated from the date of certification to the class from which laid off.

Section 32.09. LAYOFF - PROMOTIVE APPOINTEES

A. An employee laid off from a promotive appointment shall be either:

1. Restored to a position in the class and department from which promoted. If necessary, layoffs in the classes affected shall follow;

2. or, as directed by the General Manager, Personnel; appointed in rank order of seniority in the class to a position not filled by a permanent appointee in the class from which promoted in any other city department;

3. or, if options 1 and 2 are exhausted, the employee, subject to the approval of the Commission, may be appointed to a position in a class similarly related to the class from which the layoff occurred or to an appropriate lower rank class provided such action shall not adversely affect the permanent incumbents. The General Manager, Personnel, shall designate and recommend such classes to the Commission.

4. An employee who has completed the probationary period in a promotive appointment that is two (2) or more steps higher in an occupational series than the permanent position from which promoted may be returned to a position in the City and County service in the next lower ranks. If necessary, layoffs in the classes affected shall follow.

Section 32.06(B)-contd.

2. Entrance limited tenure employees shall be laid off prior to the layoff of any promotional limited tenure appointees in the same class.

3. Limited tenure appointees who hold permanent status in another class and who are laid off shall revert to their permanent positions.

C. Temporary Appointees From Eligible List

1. Order of layoff for temporary appointees shall be by class within a department, by inverse order of seniority except if a more senior temporary appointee elects to be laid off. In the event of a conflict, the temporary appointee with the greater seniority shall have preference.

2. The names of temporary appointees who are laid off shall be returned to the eligible lists from which appointed for further certification if such lists are still in existence.

Section 32.07. LAYOFF - PROBATIONARY APPOINTEES

A. Probationary appointees shall be laid off in inverse order of the date of permanent certification, except if a more senior probationary or permanent appointee elects to be laid off. In the event of a conflict, the probationary or permanent appointee with the greater seniority shall have preference.

B. As provided in Section 32.10(A), a probationary appointee, regardless of length of service, may displace any temporary appointee including part-time exempt, in the same class in any department.

Section 32.08. LAYOFF - PERMANENT APPOINTEES

A. Layoff of permanent appointees shall be by class in a department in inverse order of seniority except if a more senior permanent appointee elects to be laid off. In the event of a conflict, the permanent appointee with the greater seniority shall have preference.

B. Layoff shall be treated separately under each appointing officer except that permanent and probationary employees in classes determined by the Commission and listed in the Appendix of this rule, may displace other permanent or probationary employees in the same class with less seniority in any department and except as otherwise provided below:

1. An appointee with five (5) or more years of seniority in a class, immediately prior to layoff in that class, shall have the right to displace an appointee with less than five (5) years of seniority in that class in any department. In that event, layoff shall be by inverse order of seniority in the class in the City and County service. The appointee shall then be subject to serving a new probationary period.

2. As provided in Section 32.10(A), a permanent appointee, regardless of length of service, may displace any temporary appointee, including part-time exempt, in the same class in any department.

C. Reinstatement From Entrance Appointment

An employee laid off from an entrance appointment shall be either:

1. Restored to a position in a class and department which the employee held on a permanent basis immediately prior to appointment in the class from which laid off. If necessary, layoffs in the classes affected shall follow;

Section 32.09(A)(4)-contd.

a. For the purposes of this section, seniority in the intermediate class or classes shall be calculated from the date of certification in the higher class or in a class designated by the General Manager, Personnel, as similarly related to the intermediate class.

b. If the employee laid off is the least senior employee in the intermediate rank(s), the employee shall be placed on holdover list(s) for such intermediate rank(s) and shall be restored to the class from which promoted.

5. Promotive employees who do not wish to be reinstated to a former class, a similarly related class or an intermediate class may waive such reinstatement and elect to be laid off or placed on involuntary leave. Such waiver shall not affect the employee's status on a holdover roster for the class from which laid off.

B. Higher Class Not Filled by Promotional Examination

1. The Commission may order that the provisions of this rule shall apply to appointees in higher classes in a class series even though the examination for such higher class was not held as a promotive examination or where appointees were blanketed in to such higher classes. If necessary, layoffs in the classes affected shall follow.

2. For the purposes of this section, seniority in the intermediate class or classes shall be calculated from the date of certification in the higher class or in a class designated by the General Manager, Personnel, as similarly related to the intermediate class.

C. Requirement For Probationary Period

Reinstatement to a position other than the position in the class and department from which promoted shall require the appointee to serve a new probationary period.

D. Reinstatement with Employee's Original Seniority in the Class

Employees who are reinstated from a promotive appointment are restored with their original seniority in the class, if any.

Section 32.10. HOLDOVER STATUS AND RETURN TO DUTY

A. Holdover Roster - General Requirements

1. Subject to the provisions of this rule, civil service appointees who are laid off or placed on an involuntary leave of absence shall be designated as holdovers.

2. The names of holdovers shall be ranked on a holdover roster for the class or classes from which layoff occurs and in the order of total seniority in the class in the City and County service. Seniority prior to resignation or termination shall not be used in determining holdover rights in a class.

3. Holdovers shall be returned to duty in rank order from holdover rosters.

4. Holdovers shall for a period of five (5) years from the date of layoff have preference for appointment over eligibles on civil service lists, or employees requesting transfer, reinstatement or reappointment. The Civil Service Commission, upon review of all the circumstances, may extend the holdover status for such specified period of time as it may deem proper.

Section 32.10(A)-contd.

5. Holdover rosters shall be canvassed in the following order: first, permanent holdover rosters; then, temporary holdover rosters.

6. Permanent holdovers shall be returned to duty in temporary positions before temporary holdovers. Permanent holdovers shall displace any temporary or part-time exempt appointee in the same class in any City and County department. Permanent holdovers returned to duty in temporary positions shall retain their status on the permanent holdover roster. In the event of a displacement, the least senior temporary or part-time exempt appointee in the City and County service shall be laid off first.

7. Permanent holdovers in classes with citywide seniority for layoff purposes shall be entitled to displace only the least senior permanent employee in that class in City service. Holdovers who waive such appointment shall remain on the holdover list for subsequent permanent appointment to vacant positions but may accept a temporary position in the class if available.

8. Exceptions to Return to Duty in Rank Order

a. If two (2) or more approved requisitions are on file, the General Manager, Personnel, may permit holdovers in line for appointment and in accordance with their standing on the roster to select from the available requisitions the positions to which they desire appointment.

b. In cases where holdovers on rosters who would be reached for appointment on requisitions, the General Manager, Personnel, may consult with appointing officers and employees involved, and if it is in the best interest of the service, may offer out said positions to holdovers so as to make it possible for them to return to duty in the department from which laid off.

9. Holdovers who are notified that they are being returned to duty are required to respond to the Civil Service Department within five (5) business days of the date of notification. The General Manager, Personnel, may extend the time response period beyond five (5) business days. Failure of a holdover to respond within the time limits shall be considered a refusal of the offer and shall be subject to the penalty, if any, provided in this rule.

10. Except as otherwise provided in these Rules, holdovers who fail to possess and maintain the qualifications required by law and by the terms of the examination announcement under which they participated shall forfeit their eligibility.

11. In all cases of change of address, the Civil Service Department must be notified in writing separately for each class involved. Notice of change of address to the post office and/or the employee's current department only shall not be a reasonable excuse for special consideration in case of failure to respond to notice of return to duty within time limits.

12. Except as otherwise directed by the General Manager, Personnel, holdovers being returned to duty shall not be required to pass a new medical examination.

13. A properly completed copy of the designated report of layoff or involuntary leave of absence form shall be forwarded to the Civil Service Department as soon as possible (in advance of the action if possible) so that the Civil Service Department may record the action and place the employee's name on a holdover roster for immediate consideration for return to duty.

Section 32.10(A)-contd.

14. Late reports of layoff shall not interfere with nor affect the rights of holdovers to whom notices of return to duty have already been mailed and who have been or may be returned to duty in response to such notices except as follows: A holdover with more than five (5) years of seniority in a class shall displace any appointee or any holdover who has been returned to duty who has less than five (5) years of seniority in the same class.

15. If there is no holdover roster for a class or if the holdover roster is exhausted, the General Manager, Personnel, may authorize that a holdover be returned to duty from another holdover roster deemed suitable to temporarily provide the required service. If no other roster is available, the position shall be offered to eligibles on regular civil service eligible lists or to individuals requesting transfer, reinstatement or reappointment.

16. Holdovers returned to duty shall be reinstated with accrued compensatory time, if any, and with their original anniversary date for the purposes of computing sick leave and vacation benefits.

B. Holdover - Temporary Appointees

1. Appointees certified from an eligible list who have satisfactorily served under temporary appointment shall upon expiration of the list be designated a "temporary holdover."

2. Resignation from temporary appointment from a holdover roster or refusal of temporary appointment from a holdover roster cancels all temporary holdover rights in that class.

C. Holdover - Permanent and Probationary Appointees

1. A permanent or probationary appointee to a promotional or entrance position who is laid off shall be designated a "permanent holdover" and shall be returned to duty in a position in the class from which laid off from a holdover roster as provided in this rule.

2. A permanent holdover returned to duty on a permanent basis in a department other than the one from which laid off shall serve a new probationary period.

3. Return to duty of a permanent holdover to a position in the class from which laid off shall be subject to the following conditions:

a. Return to Duty - Department From Which Laid Off

Permanent Vacancy - A permanent holdover who refuses an offer to return to duty on a permanent basis in the department from which laid off shall forfeit all holdover rights in that class, and shall be removed from all rosters for that class. Such refusal of return to duty shall be deemed a resignation.

Temporary Vacancy - Permanent holdovers may refuse an offer to return to duty on a temporary basis in the department from which laid off without affecting future offers to be returned to duty. Waiver of temporary appointment shall not be removed without the permission of the General Manager, Personnel.

Section 32.10(C)(3)-contd.

b. Return to Duty - Department Other Than the One From Which Laid Off

Permanent holdovers may refuse an offer to return to duty on a permanent or temporary basis in a department other than the department from which laid off without affecting future offers to be returned to duty. Such departmental waivers shall not be withdrawn without the approval of the General Manager, Personnel.

4. A permanent holdover who was laid off during the probationary period and who is returned to duty in the department from which laid off shall complete the remaining period of probationary service.

5. Transferees who are laid off during the probationary period shall be ranked on the permanent holdover roster for the class in accordance with their seniority in the class in the City and County service.

6. Permanent holdovers who resign or are terminated during the probationary period may be returned to the holdover roster from which appointed subject to the provisions of these Rules. Such holdovers shall not displace any current permanent or probationary employees, but shall remain on the list for subsequent permanent appointment to vacant positions and may accept a temporary position in the class, if available.

Section 32.11. INVOLUNTARY LEAVE OF ABSENCE

A. Whenever it becomes necessary to effect a reduction in force due to lack of work or lack of funds which shall result in the displacement of a permanent or probationary appointee from the City and County service, an appointing officer, notwithstanding other provisions of these Rules governing leaves of absence, shall place such employees on a leave of absence of an involuntary nature unless the employee elects to be laid off.

B. Such reductions in force shall be effected by the provisions of this rule governing seniority and order of layoff.

C. Employees placed on an involuntary leave of absence shall be ranked on the holdover roster for the class from which laid off and shall be returned to duty as provided in this rule.

D. Leaves of absence imposed under the provisions of this rule shall expire upon the return to duty of the holdover, upon the expiration of holdover status, or upon written request of the employee to elect to be laid off while on involuntary leave.

RULE 32 - APPENDIX

CLASSIFICATIONS INCLUDED IN CITYWIDE SENIORITY FOR LAYOFF PURPOSES
(Rule 32, Section 32.08)

2708 CUSTODIAN
3402 FARMER
3417 GARDENER
3428 NURSERY SPECIALIST
3434 TREE TOPPER
5310 SURVEYOR'S FIELD ASSISTANT
5312 SURVEYOR
6318 CONSTRUCTION INSPECTOR
7306 AUTOMOTIVE BODY AND FENDER WORKER
7309 CAR AND AUTO PAINTER
7311 CEMENT MASON
7313 AUTOMOTIVE MACHINIST
7318 ELECTRONIC MAINTENANCE TECHNICIAN
7319 ELECTRIC MOTOR REPAIRER
7326 GLAZIER
7328 OPERATING ENGINEER, UNIVERSAL
7332 MAINTENANCE MACHINIST
7333 APPRENTICE STATIONARY ENGINEER
7334 STATIONARY ENGINEER
7338 ELECTRICAL LINE WORKER
7344 CARPENTER
7345 ELECTRICIAN
7346 PAINTER
7347 PLUMBER
7348 STEAMFITTER
7355 TRUCK DRIVER
7358 PATTERN MAKER
7360 PIPE WELDER
7367 RADIO TECHNICIAN
7372 STATIONARY ENGINEER, SEWAGE PLANT
7375 APPRENTICE STATIONARY ENGINEER, SEWAGE PLANT
7376 SHEET METAL WORKER
7381 AUTOMOTIVE MECHANIC
7388 UTILITY PLUMBER
7392 WINDOW CLEANER
7395 ORNAMENTAL IRON WORKER
7404 ASPHALT FINISHER
7410 AUTOMOTIVE SERVICE WORKER
7434 MAINTENANCE MACHINIST HELPER
7450 SHADE AND DRAPERY WORKER
7514 GENERAL LABORER

RULE 33

RESIGNATION

Section 33.01. FORM

A resignation shall be immediately reported on the prescribed form to either the General Manager, Personnel, or to the Commission as provided below. If an employee resigns without completing the form, but otherwise gives notification in writing of the resignation, such notification shall be attached to the form.

Section 33.02. CERTIFICATION AND DISPOSITION

The appointing officer shall certify on the resignation form whether the resignee's services have been satisfactory or unsatisfactory. The resignation shall be forwarded to the General Manager, Personnel, for recordation if services were satisfactory and to the Commission for determination of future employability if services were unsatisfactory.

Section 33.03. EFFECTIVE DATE - WHEN FINAL

A resignation shall be final on the effective date entered on the resignation form and shall not thereafter be rescinded.

Section 33.04. SATISFACTORY SERVICE - PERMANENT APPOINTEES

A permanent appointee who has completed the probationary period, who resigns and whose services have been certified as satisfactory by the appointing officer shall be permanently separated from such appointment except as provided in the Reappointment Rule.

Section 33.05. SATISFACTORY SERVICE - PROBATIONARY OR TEMPORARY APPOINTEES

An employee under probationary or temporary appointment who resigns and whose services have been certified as satisfactory by the appointing officer, shall be removed from the eligible list from which appointed; except upon written request and with the approval of the General Manager, Personnel, the name of the resignee may be returned to the eligible list from which appointed if such list has not expired. Approved requests received by the third Friday of the month become effective on the first business day of the following month unless otherwise ordered by the General Manager, Personnel.

Section 33.06. PROCEDURE FOR REVIEW OF RESIGNATION - SERVICES UNSATISFACTORY

A. Notice of Proposed Action

If services are to be designated as unsatisfactory, the appointing officer or designated representative shall notify the resignee of intention to so certify the resignation. The resignee shall be informed of the reasons for this determination and shall be offered an opportunity for review by the appointing officer or designated representative.

B. Action by Appointing Officer

As a result of review, if such review is requested by the resignee, the appointing officer may amend or sustain the certification of services.

C. Notification to Employee

If the appointing officer amends the resignation, the resignee shall immediately be notified by copy of the resignation form with services clearly marked satisfactory. If the appointing officer sustains the original determination, the appointing officer shall immediately notify the resignee and the Commission on the prescribed Civil Service Department form.

D. Report Requirement

A resignation certified by the appointing officer with services unsatisfactory shall be accompanied with a statement of the reasons for this action and shall contain a statement that the notification and review procedure outlined above was completed.

E. Commission Review

The Commission shall consider the resignations of persons whose services have been designated as unsatisfactory provided that a request for review is made in writing and is received in the commission office within twenty (20) calendar days of the date of mailing of the Notice of Separation designating the services as unsatisfactory. In the event the twentieth (20th) day falls on a non-business day, the deadline shall be extended to the close of business of the first business day following the twentieth (20th) day. The Commission shall take one or more of the following actions:

1. Accept the resignation as certified,

2. Remove the name of the resignee from other eligible lists on which the eligible's name appears,

3. Restrict participation in future examinations as it deems just,

4. Restrict future employment as it deems just,

5. Accept the resignation as certified and order that future employment be without restriction including the right to request reappointment, OR

6. Remand the resignation to the appointing officer for reconsideration.

F. Failure to Request Review

1. Failure to request a Commission review within the twenty (20) day period provided above shall result in:

a. The adoption of the departmental recommendation as approved by the General Manager, Personnel; OR,

b. The following:

i. The cancellation of all current examination and eligibility status.

ii. All future applications shall be subject to the review and approval of the General Manager, Personnel, after satisfactory completion of one year's work experience outside the City and County Service.

2. This action shall be final and shall not be subject to reconsideration unless the person can present evidence in writing of being unable to communicate with the Commission within (30) calendar days of being able to so communicate. All requests for reconsideration shall be in writing and shall be processed in accordance with the procedure for reconsideration outlined in Rule 5.

G. Hearing Procedures

Hearings pursuant to this Rule shall be conducted in accordance with the procedures outlined in Civil Service Commission Rules 6.01 and 5.13.

H. Waiver of Employment

Pending final action, the resignee shall be ineligible for all employment.

I. Effective Date

The provisions of this Rule as adopted on June 1, 1987 shall affect all resignations effective on or after July 1, 1987.

RULE 34

EXEMPT EMPLOYMENT OF INDIVIDUALS WHO ARE SEVERELY DISABLED

Section 34.01. RULE PRESCRIBED - AUTHORITY - PURPOSE

A. In accordance with Charter Section 8.300(a)(6), the Civil Service Commission does prescribe and adopt this Rule which shall have the force and effect of law to implement the Charter provision and to provide an orderly and effective process for the exempt employment and advancement to permanent civil service status of individuals who are severely disabled under the terms and conditions authorized by the Charter.

B. This Rule is not intended to preclude or in any way inhibit the employment of individuals who are severely disabled through the regular examination process or from provisional appointment as provided elsewhere in these Rules.

Section 34.02. DESIGNATED POSITIONS

A. An appointing officer or authorized representative may identify entry-level positions in the department for the appointment of individuals who are severely disabled and thereupon notify the General Manager, Personnel in writing of the positions so identified.

B. Such positions when approved by the General Manager, Personnel shall be designated for the employment of individuals who are severely disabled and shall hereinafter be known as a "designated position."

C. With the approval of the General Manager, Personnel, the appointing officer or authorized representative may rescind such designation at any time prior to the appointment of an individual pursuant to this Rule. When a designated position becomes vacant, the appointing officer may continue or cancel such designation.

Section 34.03. DEFINITION AND CERTIFICATION OF INDIVIDUALS WHO ARE SEVERELY DISABLED

A. Persons eligible for employment in designated positions shall be subject to certification by either the State of California Department of Rehabilitation or Veterans Administration as individuals who are severely disabled in accordance with the standards and criteria established by the State of California Department of Rehabilitation for such purpose.

B. Such standards and criteria and any changes thereto used for the certification of individuals who are severely disabled to positions in the City and County Service are subject to the acceptance and approval of the General Manager, Personnel.

C. A copy of the standards and criteria used for the certification of individuals who are severely disabled shall be available for public inspection during regular business hours in the Commission office.

Section 34.04. APPRAISAL OF QUALIFICATIONS

A. All candidates for designated positions shall meet the minimum qualifications applicable to the class and shall be able to perform the essential functions of the position after reasonable accommodation is made for the disability.

B. The General Manager, Personnel shall establish procedures for the appraisal of the qualifications of all persons certified for employment pursuant to this Rule.

C. For the purpose of this Rule, the provisions of the last examination announcement or the class specification, whichever is more recent, shall guide the General Manager, Personnel in determining minimum qualifications.

D. The General Manager, Personnel may administer job-related tests and/or obtain such supplemental information as is deemed appropriate in order to appraise the qualifications of candidates certified for consideration under this Rule.

Section 34.05. REFERRAL OF THE INDIVIDUAL WHO IS SEVERELY DISABLED TO THE DEPARTMENT

A. When there is a vacant requisition for a designated position, the General Manager, Personnel will refer to the Department for consideration those candidates who meet the specified terms and conditions.

B. The candidate and the authorized departmental representative shall each advise the General Manager, Personnel of their assessment of the position under consideration. The decision by the candidate to refuse the position or by the department to reject a candidate shall be final and is not subject to appeal except as provided under the anti-discrimination provisions of Charter Section 3.661(c) and these Rules.

Section 34.06. APPOINTMENT AND EVALUATION PERIOD

A. A candidate selected for appointment under this Rule shall be a permanent exempt appointee subject to the one-year Evaluation Period prescribed by Charter.

B. The provisions found elsewhere in these Rules governing the extension of the probationary period for regular civil service appointees shall be applicable to the one-year Evaluation Period.

C. The Evaluation Period is the critical phase of the selection process and shall be used as a trial period in order to determine the ability of individuals who are severely disabled to perform the assigned duties of the position to which appointed.

Section 34.07. PERFORMANCE APPRAISAL DURING EVALUATION PERIOD

In accordance with existing procedures of the Performance Appraisal System, Performance Appraisal Reports shall be written during the Evaluation Period by the immediate supervisor of individuals who are severely disabled according to the following schedule:

A. At the end of the first (1st) three (3) months;

B. At the end of the sixth (6th) month covering the fourth (4th) through the sixth (6th) month; and,

C. At the end of the eleventh (11th) month covering the seventh (7th) through the eleventh (11th) month.

Section 34.08. TERMINATION DURING EVALUATION PERIOD

A. Consistent with Charter authority governing the employment of individuals exempt from the civil service provisions thereof, during the Evaluation Period, individuals appointed under this Rule serve at the discretion of the appointing officer.

B. At any time during the Evaluation Period, the appointing officer may terminate the appointee by giving written notice to the individual and to the General Manager, Personnel specifying the reasons therefor. The decision of the appointing officer shall be final and is not subject to appeal except as provided under the anti-discrimination provisions of Charter Section 3.661(c) and these Rules.

Section 34.09. ADVANCEMENT TO PERMANENT CIVIL SERVICE STATUS

A. The appointing officer shall, in accordance with procedures prescribed by the General Manager, Personnel, notify the General Manager, Personnel in writing of the completion of the Evaluation Period and shall certify satisfactory job performance during the Evaluation Period in order to advance the individual who is severely disabled to permanent civil service status.

B. Upon advancement to permanent civil service status, appointees shall not be required to serve a probationary period and shall acquire all the rights of a regular civil service appointee who has completed the probationary period.

Section 34.10. COMPUTATION OF SENIORITY FOR INDIVIDUALS WHO ARE SEVERELY DISABLED

Nothwithstanding any other provisions of these Rules:

A. Seniority for the purpose of layoff shall be calculated from the date an individual who is severely disabled began to work in an exempt status in the designated position in a class in a department.

B. During the Evaluation Period, individuals appointed pursuant to this Rule shall be compared with and ranked for retention purposes the same as probationary civil service appointees.

C. Seniority accrued by an individual who is severely disabled in a class and department during the Evaluation Period shall be carried forward upon advancement to permanent civil service status in the same class and department.

D. Seniority in the event of a tie shall be determined by the appointing officer, whose decision is final.

Section 34.11. RESOLUTION OF DISPUTES

A dispute concerning the application, implementation or interpretation of this Rule shall be decided by the General Manager, Personnel, subject to reconsideration by the Commission as provided elsewhere in these Rules.

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NOTE: The **boldface** numbers in the index refer to page numbers; the lightface numbers refer to Rule Section numbers.

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SEVERELY DISABLED, EXEMPT EMPLOYMENT OF (continued)

City and County of San Francisco **Civil Service Commission**

MEMORANDUM

No. 93-45

DATE : November 12, 1993

TO : Department Heads
Personnel Officers
Employee Organizations

FROM : Wendell L. Pryor
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-20: AMENDMENT TO THE CIVIL SERVICE COMMISSION RULES ADDING NEW RULE 11B - CERTIFICATION FROM CERTAIN ELIGIBLE LISTS FOR CLASSES 1823 SENIOR ADMINISTRATIVE ANALYST AND 1824 PRINCIPAL ADMINISTRATIVE ANALYST.

At its meeting of November 1, 1993, the Civil Service Commission amended its Rules by adding new Rule 11B - Certification from Certain Eligible Lists for Classes 1823 Senior Administrative Analyst and 1824 Principal Administrative Analyst.

Attached is a copy of new page number 11.7 dated November 12, 1993 to be added to your copy of the Rules.

Attached also is a copy of the revised Amendment Control Sheet, page iv, which reflects the addition of Rule 11B. Please use this page to replace the Amendment Control Sheet, page iv, dated August 16, 1993, in your copy of the Civil Service Commission Rules.

In addition, attached is a copy of revised page ii and new page iii of the Civil Service Commission Rules dated November 12, 1993. These pages reflect changes to the Rules Table of Contents required by adding Rule 11B. Revised page ii incorporates the addition of Rule 11B and replaces page ii dated August 16, 1993. Please add page iii to your copy of the Rules.

Please photocopy as many additional copies of these pages as is required.

Attachments

(3184B)

Room 151 City Hall San Francisco 94102

MEMORANDUM

No. 93 - 39

DATE : August 24, 1993

TO : Department Heads
Personnel Officers
Employee Organizations

FROM : Wendell H. Pryor
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-19: Corrected
AMENDMENT TO THE CIVIL SERVICE COMMISSION RULES ADDING
NEW RULE 11A - DURATION OF AND CERTIFICATION FROM LIST E-133
FOR CLASS 9163 TRANSIT OPERATOR.

The Civil Service Commission Rule Change Number 90-19, which was issued on August 20, 1993 contained an error. The page number of the rule was incorrect. The correct page number is 11.6.

Attached is a copy of the corrected page. Please insert this Page 11.6 in your copy of the Civil Service Commission Rules and discard Page 11.1 dated August 16, 1993.

The Table of Contents Page ii and the Amendment Control Sheet Page iv dated August 16, 1993 were correct.

I apologize for this error and any inconvenience it has caused.

Attachment

(2920B)

MEMORANDUM

No. 93-38

DATE : August 20, 1993

TO : Department Heads
Personnel Officers
Employee Organizations

FROM : Wendell L. Pryor
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-19: AMENDMENT TO THE CIVIL SERVICE COMMISSION RULES ADDING NEW RULE 11A - DURATION OF AND CERTIFICATION FROM LIST E-133 FOR CLASS 9163 TRANSIT OPERATOR.

At its meeting of August 16, 1993, the Civil Service Commission amended its Rules by adding new Rule 11A - Duration of and Certification from List E-133 for Class 9163 Transit Operator. This Rule change is in effect immediately and will expire automatically on December 31, 1993.

Attached is a copy of new page 11.6 dated August 16, 1993 to be added to your copy of the Rules.

Attached also is a copy of the revised Amendment Control Sheet, page iv, which reflects the addition of Rule 11A. Please use this page to replace Amendment Control Sheet, page iv, dated May 28, 1993, in your copy of the Civil Service Commission Rules.

In addition, attached is a copy of revised page ii of the Civil Service Commission Rules (second page of the Table of Contents) dated August 16, 1993. Revised page ii incorporates the addition of Rule 11A and replaces page ii dated December 13, 1991.

Please photocopy as many additional copies of these pages as is required.

Attachments

(2908B)

City and County of San Francisco **Civil Service Commission**

MEMORANDUM

No. 93-26

DATE: May 28, 1993

TO: Department Heads
Personnel Officers
Employee Organizations

FROM: Wendell L. Pryor
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-17: AMENDMENT TO CIVIL SERVICE COMMISSION RULE 22 - LEAVES OF ABSENCE, SECTION 22.15(C)(5) - UNPAID ADMINISTRATIVE LEAVE OF FURLOUGH

At its meeting of May 25, 1993, the Civil Service Commission amended Rule 22 - Leaves of Absence, Section 22.15(C)(5), to add a provision that voluntary time off of up to a total of five (5) days per quarter or ten (10) days per year will be credited twoard the maximum number of furlough days which may be imposed under the provisions of Section 22.15 of the Civil Service Commission Rules.

Attached are copies of revised pages 22.18 and 22.19, dated May 28, 1993 which contain this amendment. These pages replace pages 22.18 and 22.19, dated December 15, 1992.

Attached also is a copy of the revised Amendment Control Sheet, page iv, which reflects the amendment to Rule 22, Secion 22.15(C)(5). Please use this page to replace Amendment Control Sheet, page iv, dated March 12, 1993, in your copy of the Civil Service Commission Rules.

Please photocopy as many additonal copies of these pages as is required.

Attachments

(2612B)

City and County of San Francisco **Civil Service Commission**

MEMORANDUM

No. 93-15

DATE: March 12, 1993

TO: Department Heads
Personnel Officers
Employee Organizations

FROM: Albert C. Walker
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-17: AMENDMENT TO CIVIL SERVICE COMMISSION RULE 22 - LEAVES OF ABSENCE, SECTION 22.01(B)(1) TO PROVIDE FOR THE ACCRUAL OF SICK LEAVE WITH PAY CREDITS FOR SPECIFIED PERIODS WHILE ON FURLOUGH OR ON VOLUNTARY UNPAID TIME OFF.

At its meeting of February 1, 1993, the Civil Service Commission amended Rule 22 - Leaves of Absence, Section 22.01(B)(1), to provide for the accrual of sick leave with pay credits for specified periods while on furlough or on voluntary unpaid time off.

This amendment was ratified by the Board of Supervisors on March 1, 1993 and Ordinance Number 55-93 was signed by the Mayor and became effective on March 4, 1993.

Attached is a copy of revised page 22.4 which replaces page 22.4, dated January 2, 1990.

Attached also is a copy of the revised Amendment Control Sheet, page iv, which reflects the amendment to Rule 22, Secion 22.02(B)(1). Please use this page to replace Amendment Control Sheet, page iv, dated December 15, 1992, in your copy of the Civil Service Commission Rules.

Please photocopy as many additonal copies of these pages as is required.

CIVIL SERVICE COMMISSION

Albert C. Walker
General Manager, Personnel

Attachments

(2217B)

MEMORANDUM

DATE: December 15, 1992

TO: Department Heads
Personnel Officers
Employee Organizations

FROM: Albert C. Walker
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-16: AMENDMENT TO VARIOUS SECTIONS OF CIVIL SERVICE COMMISSION RULE 22 - LEAVES OF ABSENCE, TO PROVIDE FOR THE IMPOSITION OF FURLOUGH

At its Special Meeting of December 14, 1992, the Civil Service Commission amended the following sections of Civil Service Commission Rule 22 - Leaves of Absence:

Section 22.01(B) - Leaves of Absence - General Requirements
Section 22.15 - Unpaid Administrative Leave (Furlough)
Section 22.16 - Appeal Procedures

Except for employees represented by the twelve (12) organizations listed in an accompanying memorandum with today's date, these amendments to the Civil Service Commission Rules become effective immediately. Amended pages 22.1 and 22.16 and added pages 22.17, 22.18, 22.19 dated December 15, 1992 are attached. Pages 22.1 and 22.16 replace pages 22.1 and 22.16 of the Civil Service Commission Rules issued January 2, 1990 and pages 22.17, 22.18 and 22.19 are new pages.

Attached is a copy of the revised Amendment Control Sheet, page iv, which reflects the amendments to Rule Sections 22.01(B), 22.15 and 22.16. Please replace the Amendment Control Sheet dated November 6, 1992 in your copy of the Civil Service Commission Rules.

Please photocopy as many additional copies of these pages as is required.

CIVIL SERVICE COMMISSION

Albert C. Walker
General Manager, Personnel

Attachments

MEMORANDUM

DATE : December 15, 1992

TO : Appointing Officers
Department Heads
Personnel Officers
Payroll and Personnel Clerks

FROM : Albert C. Walker
General Manager, Personnel

SUBJECT: Amendment to Civil Service Commission Rule 22 - Leaves of Absence, Providing for the Imposition of Furlough.

At its Special Meeting of December 14, 1992, the Civil Service Commission adopted a proposed amendment to Civil Service Commission Rule 22 - Leaves of Absence, to provide for Unpaid Administrative Leave (Furlough). Attached is a copy of this Rule change which, except as provided below, became effective immediately.

As the Civil Service Commission is still involved in the impasse procedure with nine (9) employee organizations, this Rule change does not at the present time affect emloyees represented by the following organizations:

International Federation of Professional and Technical Engineers	Local 21
Laborers	Local 261
Operating Engineers	Local 3
Plumbers	Local 38
S.F. Association of Personnel Professionals	(SFAAP)
Sheetmetal Workers	Local 104
Stationary Engineers	Local 39
Transport Workers	Local 250-A
Transport Workers (SEAM)	Local 200

In addition, Firefighters Local 798, the Police Officers Association (POA) and the Airport Police Officers Association are governed by Charter Section 8.590 which dictates a different impasse procedure.

Consequently, with the exception of those employees represented by the twelve (12) employee organizations cited above, the newly adopted provisions of Civil Service Commission Rule 22 - Leaves of Absence, relating to Unpaid Administrative Leave (Furlough), may be applied to all other City and County employees and to the classified employees of both School Districts.

The main concepts of the furlough rule are as follows:

- Furlough may be imposed only after a department receives a Projected Deficit Notice (PDN) from the Controller indicating that there is a shortfall in the salary account or if in the determination of either the Superintendent of Schools or the Chancellor of the San Francisco Community College District there is a budgetary deficit;

- Prior to imposition of unpaid administrative leave, interest in voluntary time off must be determined;

- Employees may take up to ten (10) unpaid days per fiscal year at their discretion with fifteen (15) days notice subject to the department head's approval;

- Application of unpaid administrative leave to both exempt and non-exempt employees under the Fair Labor Standards Act (FLSA) is clarified;

- Furlough of entire operational units within departments or staggered hours within operational units on a reduced hour basis is encouraged rather than the furloughing of individual employees;

- Unpaid administrative leave is limited to ten (10) days per fiscal year per employee with fifteen (15) days advance written notice;

- Imposition of furlough exceeding five (5) days in a six (6) month period is appealable. An appeal must be in writing and filed within three (3) days of the notice of furlough with the Assistant Secretary, Civil Service Commission, and with the appointing officer;

- Timely appeals will be forwarded within three (3) days to a panel consisting of the General Manager, Personnel, the Mayor and the Controller or their designees whose decision shall be rendered within seven (7) days;

- Subject to implementing legislation and Civil Service Commission Rule change, vacation and Sick Leave with Pay accruals continue to the maximum of ten (10) days for imposed unpaid administrative leave or twenty (20) days for voluntary time off;

- Except for the appeal of furlough in excess of five (5) days in a six (6) month period, the General Manager, Personnel is empowered to act on all disputes and that decision is final.

Additionally, the Civil Service Commission encourages the use of furlough for all employees, from the department head level on down. The Commission also encourages department heads to credit towards the limit of imposed furlough, time that employees have already taken in voluntary unpaid time off.

Procedures for the imposition of furlough and a listing of classes excluded from coverage by the furlough provisions of Rule 22 will be issued later this week.

CIVIL SERVICE COMMISSION

Albert C. Walker
General Manager, Personnel

Attachment
(1925B)

City and County of San Francisco **Civil Service Commission**

MEMORANDUM

DATE: November 6, 1992

TO: Department Heads
Personnel Officers
Employee Organizations

FROM: Albert C. Walker
General Manager, Personnel

SUBJECT: Revised Index to the Civil Service Commission Rules

The INDEX to the Civil Service Commission Rules has been revised to reflect amendments to the rules that have been adopted since the last INDEX was issued on January 25, 1991.

The attached pages INDEX-1 through INDEX-28, dated November 6, 1992, replace pages INDEX-1 through INDEX-25, dated January 25, 1991. Please remove and recycle all INDEX pages dated prior to November 6, 1992 and replace them with the attached pages.

Please photocopy these pages if there is a need for additional copies.

CIVIL SERVICE COMMISSION

Albert C. Walker
General Manager, Personnel

Attachments

(1797B)

MEMORANDUM

DATE: November 6, 1992

TO: Department Heads
Personnel Officers
Employee Organizations

FROM: Albert C. Walker
General Manager, Personnel

SUBJECT: **Civil Service Commission Rule Change Number 90-15: Amendment of Civil Service Commission Rule 16 - Probationary Period.**

At its meeting of October 5, 1992, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for the following classes:

5620 Regulatory Specialist
9373 Manager of Marketing
9386 Senior Property Manager, Port

Attached are copies of reissued pages 16.13, 16.17 and 16.18, dated November 6, 1992, which replace pages 16.13, 16.17 and 16.18, dated March 9, 1992, of the 1990 edition of the Civil Service Commission Rules.

Revised Amendment Control Sheet (page iv), which has been annotated to reflect this amendment to Rule 16, is also attached. Replace Amendment Control Sheet page iv issued March 9, 1992 with the attached page iv dated November 6, 1992.

Please photocopy these pages if there is a need for additional copies.

CIVIL SERVICE COMMISSION

Albert C. Walker
General Manager, Personnel

Attachments

(1649B)

MEMORANDUM

DATE : March 9, 1992

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : John J. Walsh
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-14: AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of March 2, 1992, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for the following classes:

1665 Director of Patient Accounts
1673 Accounting Operations Manager
1674 Director of Accounting and Systems
1683 Budget and Fiscal Operations Manager
1688 Chief Auditor
1690 Internal Audit Director
1776 Assistant Reproduction Services Manager
1837 Legislative Policy Analyst
1841 Rate Administrator
1850 Senior EDP Auditor
1852 Capital Program Manager
1878 Information System Audit Manager
2235 Medical Director, Department of Health
2459 Forensic Laboratory Manager
2553 Director of Volunteer Services
2559 Director of Activity Therapy
2810 Principal Disease Control Investigator
2880 Director of Business and Operations, Mental Health Program
2947 Hospital Eligibility Manager, Department of Social Services
2953 Deputy General Manager, Department of Social Services
2965 Social Services Resource Manager
2984 Deputy Director, Human Rights Commission
3135 Director of Neighborhood Services, Recreation and Park Department
3137 Assistant General Manager for Finance and Property, Recreation and Park Department

3338 Assistant Zoo Director, Operations and Maintenance
3339 Assistant Zoo Director, Animal Management
3470 Director of Marketing and Operations, Candlestick Park
3518 Associate Museum Conservator, Asian Art Museum
3563 Director, Neighborhood Arts Project, Art Commission
5164 Water Resources and Planning Manager
6141 Manager, Office of Health and Safety
6144 Director of Toxics and Safety Services
7140 Director, Parking and Traffic Operations
8167 Workers Compensation Division Manager
8171 Law Office Manager
9148 Director of Community Affairs, MUNI
9161 General Claims Agent
9193 Deputy General Manager, Administration, MUNI
9208 Director, Airport Property Management
9247 Airport Emergency Planning Coordinator
9254 Assistant to the Director, Bureau of Community Affairs
9374 Manager, Port Planning and Development

Attached are copies of reissued pages 16.4 through 16.18, dated March 9, 1992 which replace pages 16.4 through 16.17 (issued February 8, 1992) of the 1990 edition of the Civil Service Commission Rules.

Revised Amendment Control Sheets (pages iii and iv) which have been annotated to reflect this amendment to Rule 16 are attached. Replace Amendment Control Sheet pages iii and iv issued February 7, 1992 with the attached pages iii and iv dated March 9, 1992.

Additional copies of these pages are available from the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John B. Walsh
General Manager, Personnel

Attachments
(0450B)

MEMORANDUM

DATE: March 16, 1992

TO: Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM: John J. Walsh
General Manager, Personnel

SUBJECT: CORRECTION DUE TO CLERICAL ERROR TO CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-14 AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

On March 9, 1992, Civil Service Commission Rule Change Number 90-14 was issued incorporating changes in the duration of the probationary period for various classes. Reissued pages 16.4 through 16.18 were attached to the memorandum notifying departments and employee organizations of the Rule amendment.

Through a clerical error, the reissued pages were dated March 9, 1991, instead of March 9, 1992. Please correct pages 16.4 through 16.18 in your copy of the 1990 Edition of the Civil Service Commission Rules to reflect that those pages were issued on March 9, 1992.

I apologize for the inconvenience caused by this error and thank you for your assistance in making the required corrections.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

(0510B)

MEMORANDUM

DATE: February 7, 1992

TO: Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM: John J. Walsh
General Manager, Personnel

SUBJECT: **Civil Service Commission Rule Change Number 90-13: Amendments to Civil Service Commission Rule 11 - Certification of Eligibles, and Rule 32- Layoff and Involuntary Leave**

At its meeting of February 3, 1992, the Civil Service Commission amended Civil Service Commission Rule 11 - Certification of Eligibles, Section 11.01 - Requisitions, and Section 11.02 - Certification of Eligibles, to implement the provisions of Proposition D (November 5, 1992 election). Proposition D authorized the Civil Service Commission to adopt certification rules which "... shall not be more restrictive than the certification of all candidates receiving the three highest scores on the list of eligibles for such positions."

At the February 3 meeting, the Civil Service Commission also amended Civil Service Commission Rule 32 - Layoff and Involuntary Leave, Section 32.02 - Seniority - Defined, Subsection E, to provide a method for breaking ties in seniority. In the past, under the "Rule of Three," ties in seniority were broken by rank on the list of eligibles. As a result of the passage of Proposition D, all persons with the same scores will have the same rank on an eligible list. Therefore, a revised procedure for breaking ties is required and is prescribed in the Rule change.

Attached are copies of reissued pages 11.1 through 11.5, dated February 7, 1992, which replace pages 11.1 through 11.5 (issued January 2, 1990) of the 1990 edition of the Civil Service Commission Rules.

Also attached are copies of reissued pages 32.1 through 32.10, dated February 7, 1992 which replace pages 32.1 through 32.10 (issued January 2, 1990) of the 1990 edition of the Civil Service Commission Rules.

Revised Amendment Control Sheets (pages iii and iv) which have been annotated to reflect the amendments to Rule 11 and Rule 32 are enclosed. Replace Amendment Control Sheet pages iii and iv issued December 13, 1991 with the attached pages iii and iv dated February 7, 1992.

Additional copies of these pages are available from the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments
(0283B)

MEMORANDUM

DATE: December 13, 1991

TO: Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM: John J. Walsh
General Manager, Personnel

SUBJECT: **Civil Service Commission Rule Change Number 90-12**
Addition of Ten New Civil Service Commission Rules to Incorporate Ten Former Charter Sections Verbatim into the Civil Service Commission Rules (Implementing Proposition C - November 5, 1991).

At its meeting of December 2, 1991, the Civil Service Commission added the ten (10) new Rules listed below to the Civil Service Commission Rules. This action was to implement Proposition C which passed at the November 5, 1991 election. Proposition C added Section 8.320-1 to the Charter which provided that the following ten sections of the Charter were to be deleted and placed verbatim into the Rules of the Civil Service Commission subject to the Rule change procedure provided by Charter and California State law.

Each of the ten (10) Charter sections has been allocated to the Civil Service Commission Rule most closely related to the subject of the Charter provision. The Charter section was then incorporated into the appropriate Rule by appending it to that Rule and identifying it with the current Rule number plus a suffix of A, B, C, or D; e.g., Rule 6A, 9B, etc.

Charter Section	Title	New CSC Rule Number
8.340	Dismissal During Probation Period	6A
8.320	Qualifications of Applicants	8A
8.321	Examinations of Applicants	9A
8.322	Protest of Written Questions and Answers	9B
8.324	Veterans Preference in Examinations	9C
8.328	Promotional Examinations for Employees on Military Leave	9D
8.323	Protest of Tentative List of Eligibles	10A
8.330	Duration of Lists of Eligibles	10B
8.331	Limited Tenure Appointments	12A
8.332	Temporary and Emergency Appointments	12B

Attached are the following revised and newly issued pages of the Civil Service Commission Rules which contain the former Charter sections and related Rule page:

Page	Rule	Subject
i-ii		Table of Contents (Replaces page i and ii issued 1-2-90)
iii-iv		Amendment Control Sheet (Replaces page ii issued 8-23-91)
6.9-6.10	6A	Dismissal During Probation Period
8.3	8A	Qualifications of Applicants
9.10-9.11	9A	Examinations of Applicants
9.12	9B	Protest of Written Questions and Answers
9.13-9.14	9C	Veterans Preference in Examinations
9.15-9.16	9D	Promotional Examinations for Employees on Military Leave
10.3-10.4	10A	Protest of Tentative List of Eligibles
10.5	10B	Duration of Lists of Eligibles
12.5	12A	Limited Tenure Appointments
12.6-12.7	12B	Temporary and Emergency Appointments

Remove the Table of Contents dated January 2, 1990 and the Amendment Control Sheet dated August 23, 1991 and replace them with the attached Table of Contents and Amendment Control Sheets dated December 13, 1991. Add the new pages dated December 13, 1991 to your copy of the 1990 Edition of the Civil Service Commission Rules after the last page of the respective Rule.

Additional copies of these changes are available from the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

MEMORANDUM

DATE: August 23, 1991

TO: Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM: Albert C. Walker
Acting General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-11: AMENDMENTS TO CIVIL SERVICE COMMISSION RULE 5 - GENERAL HEARING AND MEETING PROCEDURE, BY AMENDING AND RETITLING SECTION 5.13 AND ADDING SECTION 5.16

At its meeting of August 19, 1991, the Civil Service Commission amended Civil Service Commission Rule 5 - General Hearing and Meeting Procedure, by amending and retitling Section 5.13 - formerly "Order of Presentation" to "Procedure for Commission Hearings," and by adding Section 5.16 - Submission of Written Material.

Attached is a copy of reissued page 5.3 and a copy of new page 5.4 These pages replace page 5.3 (issued June 26, 1990) of the 1990 edition of the Civil Service Commission Rules.

Attached also is a copy of the revised Amendment Control Sheet (page iii) which has been annotated to reflect the changes to Rule 5. Replace the Amendment Control Sheet issued February 8, 1991 with this updated page.

Additional copies of these pages are available from the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

Albert C. Walker,
Acting General Manager, Personnel

ACW:sfm

Attachments (3)

MEMORANDUM

DATE: February 8, 1991

TO: All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM: John J. Walsh
General Manger, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER NUMBER 90-10
AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of February 4, 1991, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for the following classes:

1120 Director of Animal Care and Control
1121 Deputy Director of Animal Care and Control
1435 Shelter Officer Supervisor
2292 Shelter Veterinarian
3371 Animal Care Supervisor
3372 Animal Control Officer
3373 Animal Control Supervisor
3374 Volunteer Coordinator, Animal Care and Control

A copy of the revised Amendment Control Sheet is attached reflecting this change. Please replace the Amendment Control Sheet issued January 15, 1991.

Attached are amended Rule 16 - Appendix pages 16.4 through 16.17 which reflect this amendment and which also incognate any changes in class titles adopted in the past two years. Please use these pages to replace the Rule 16 - Appendix pages 16.4 through 16.17 issued between January 2, 1990 through January 25, 1991.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

JJW/sfm
Attachments

MEMORANDUM

DATE: January 25, 1991

TO: All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM: John J. Walsh
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-9: AMENDMENT TO VARIOUS SECTIONS OF CIVIL SERVICE COMMISSION RULE 22 - LEAVES OF ABSENCE

At its meeting of October 15, 1990, the Civil Service Commission amended the following sections of Civil Service Commission Rule 22 - Leaves of Absence:

Section 22.02 A(3)(c) - Sick Leave - Bereavement

Section 22.02 A(3)(e) - Sick Leave - Illness or Medical Appointment of Sick Child

Section 22.08 - Family Care Leave

Section 22.13 - Religious Leave

The amendments to Civil Service Commission Rule Section 22.08 - Family Care Leave and Rule Section 22.13 - Religious Leave, became effective on October 15, 1990 and were distributed on October 17, 1990 as Rule Change Number 90-6.

The amendments to Civil Service Commission Rule Section 22.02A(3)(c) - Sick Leave - Bereavement, and Rule Section 22.02A(3)(e) were ratified by the Board of Supervisors on January 7, 1991 and signed by the Mayor on January 15, 1991. Attached is revised page 22.3 which replaces page 22.3 issued January 2, 1990.

Attached also is a copy of the revised Amendment Control Sheet which reflects the amendments to Rule Sections 22.02A(3)(c) and 22.02A(3)(e). This page dated January 25, 1991 replaces the Amendment Control Sheet dated November 16, 1990.

Over the past year, several amendments to the Civil Service Commission Rules have been adopted which affected the Index to the Rules. The attached pages INDEX-1 through INDEX-25 reflect those amendments and replace in its entirety the INDEX dated January 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

MEMORANDUM

DATE : November 30, 1990

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : John J. Walsh
General Manger, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-8: AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of November 19, 1990, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for class 1113 Deputy General Manager, Retirement System, and class 9378 Development Project Coordinator, Port.

A copy of a revised Amendment Control Sheet is attached and contains the information pertaining to this rule amendment. Please use it to replace the Amendment Control Sheet issued November 16, 1990.

Attached are amended pages 16.4 and 16.16 which reflect this amendment and which replace page 16.4 issued January 2, 1990 and page 16.16 issued October 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

JJW/sfm

MEMORANDUM

DATE: November 16, 1990

TO: All Appointing Officers
Departmental Personnel Officers
Employee And Employee Organization Representatives

FROM: John J. Walsh
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-7
DELETION OF EXISTING CIVIL SERVICE COMMISSION RULE 26 - TEMPORARY ASSIGNMENTS OUTSIDE OF CLASSIFICATION AND ADOPTION OF NEW RULE GOVERNING TEMPORARY ASSIGNMENTS OUTSIDE OF CLASSIFICATION

At its meeting of November 5, 1990, the Civil Service Commission adopted an amendment to Civil Service Commission Rule 26 - Temporary Assignments Outside of Classification, deleting the existing rule in its entirety and replacing it with a new rule. This amendment is effective January 2, 1991 and will implement the Acting Assignment Pay provision of Salary Standardization Ordinance Section IV.HH for those employees whose salaries are set under Charter Section 8.407. Current Rule 26 remains effective through January 1, 1991

In December, Civil Service Commission staff will issue a revision to the Personnel Policy and Procedures Manual and will conduct workshops for the training of departmental personnel on implementation of the new rule. Departments will be notified shortly of the dates of this training.

A copy of a revised Amendment Control Sheet is attached and contains the information pertaining to this rule amendment. Please use it to replace the Amendment Control Sheet issued October 17, 1990.

Attached are amended pages 26.1 and 26.2 which reflect this amendment and which replace pages 26.1 and 26.2 issued January 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

MEMORANDUM

DATE : October 17, 1990

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : John J. Walsh
General Manger, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-6: AMENDMENT TO VARIOUS SECTIONS OF CIVIL SERVICE COMMISSION RULE 22 - LEAVES OF ABSENCE

At its meeting of October 15, 1990, the Civil Service Commission amended the following sections of Civil Service Commission Rule 22 - Leaves of Absence:

Section 22.02 A(3)(c) - Sick Leave - Bereavement

Section 22.02 A(3)(e) - Sick Leave - Illness or Medical Appointment of Sick Child

Section 22.08 - Family Care Leave

Section 22.13 - Religious Leave

The amendments to Civil Service Commission Rule Sections 22.02 A(3)(c) - Sick Leave Bereavement, and Section 22.02 A(3)(e) - Sick Leave - Illness or Medical Appointment of Sick Child, do not become effective until ratified by the Board of Supervisors. A Rule Change Amendment will be issued following action of the Board.

The amendments to Civil Service Commission Rule Section 22.08 - Family Care Leave, and Section 22.13 - Religious Leave, became effective on October 15, 1990. The amended pages 22.15 and 22.16 dated October 17, 1990 are attached. They replace pages 22.15 and 22.16 issued January 2, 1990.

Attached also is a copy of the revised Amendment Control Sheet which reflects the amendments to Rule Sections 22.08 and 22.13. Please use it to replace the Amendment Control Sheet dated October 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments
JJW/sfm

MEMORANDUM

DATE : October 2, 1990

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : John J. Walsh
General Manger, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-5: AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of October 1, 1990, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for Class 9382 Government and Public Affairs Manager.

A copy of a revised Amendment Control Sheet is attached and contains the information pertaining to this rule amendment. Please use it to replace the Amendment Control Sheet issued August 28, 1990.

Attached is amended page 16.16 which reflects this amendment and which replaces page 16.16 issued January 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

JJW/sfm

MEMORANDUM

DATE : August 28, 1990

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : Albert C. Walker
Acting General Manger, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-4: AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of August 20, 1990, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for Class 8216 Senior Parking Control Officer.

A copy of a revised Amendment Control Sheet is attached and contains the information pertaining to this rule amendment. Please use it to replace the Amendment Control Sheet issued June 26, 1990.

Attached is amended page 16.14 which reflects this amendment and which replaces page 16.14 issued March 28, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

Albert C. Walker
Acting General Manager, Personnel

Attachments

ACW/sfm

MEMORANDUM

DATE : June 26, 1990

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : John J. Walsh
General Manger, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-3:
1. AMENDMENT OF CIVIL SERVICE COMMISSION RULE 5 - GENERAL HEARING AND MEETING PROCEDURE, SECTION 5.06 - APPEAL OF GENERAL MANAGER'S ACTION.
2. AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of June 18, 1990, the Civil Service Commission amended Civil Service Commission Rule 5 - General Hearing and Meeting Procedure, Section 5.06 - Appeal of General Manager's Action, to provide that appeals of the General Manager's action on salary matters must be received by the Civil Service Commission within seven (7) calendar days of the General Manager's action.

At its meeting of June 18, 1990, the Civil Service Commission also amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for the following classes:

2496 Radiologic Technologist Supervisor
2498 Director, Radiology

Attached are the following pages which update the 1990 Edition of the Civil Service Commission Rules to reflect the above amendments:

1. A revised Amendment Control Sheet dated June 26, 1990 which replaces the Amendment Control Sheet issued March 28, 1990.

2. Pages 5.1, 5.2, 5.3, 16.7 and 16.8, dated June 26, 1990, which replace pages 5.1, 5.2, 5.3, 16.7 and 16.8, issued March 28, 1990.

3. Pages 22.5 and 22.6, dated March 28, 1990. These pages were issued on March 28, 1990 but dated incorrectly. These pages replace pages 22.5 and 22.6 dated January 2, 1990.

4. Index pages 2, 7, 9, 15, 17, and 20, dated June 26, 1990, which replace Index pages 2, 7, 9, 15, 17, and 20 issued January 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

MEMORANDUM

Date: March 28, 1990

To: All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

From: John J. Walsh
General Manager, Personnel

SUBJECT: Civil Service Commission Rule Change Number 90-2
1. Amendment to Civil Service Commission Rule 16 - Probationary Period
2. Amendments to Civil Service Commission Rule 22 - Leaves of Absence, Section 22.02 - Sick Leave, Subsection 22.05B(5)(c) - Calcluation of Sick Leave with Pay Credits and Subsection 22.05B(6)(b) - Disbursement of Sick Leave with Pay Credits

At its meeting of March 19, 1990, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period to increase the probationary period from six (6) months to one (1) year for the following classes:

1125 Division Manager, Registrar of Voters
4260 Real Property Appraiser Trainee
7470 Watershed Keeper

At its meeting of August 21, 1989, the Civil Service Commission amended Rule 22 - Leaves of Absence, Section 22.02 - Sick Leave, Subsection 22.05B(5)(c) - Calculation of Sick Leave with Pay Credits and Subsection 22.05B(6)(b)- Disbursement of Sick Leave with Pay Credits, in order to continue a "Pilot Project" for Registered Nurses at San Francisco General Hospital Medical Center. The Board of Supervisors ratified this amendment at its meeting of March 5, 1990.

A copy of the revised Amendment Control Sheet is attached and contains information pertaining to this rule amendment. Please use it to replace the Amendment Control Sheet issued February 8, 1990.

Attached are amended pages 16.4, 16.10, 16.14, 22.5, and 22.6 which reflect these changes and replaces pages 16.4, 22.5, and 22.6 issued January 2, 1990 and pages 16.10 and 16.14 issued February 8, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

JJW/sfm
Attachments

DATE : February 9, 1990

TO : All Appointing Officers
Departmental Personnel Officers
Employees and Employee Organization Representatives

FROM : John J. Walsh
General Manager, Personnel

SUBJECT: CIVIL SERVICE COMMISSION RULE CHANGE NUMBER 90-1
AMENDMENT OF CIVIL SERVICE COMMISSION RULE 16 - PROBATIONARY PERIOD

At its meeting of February 5, 1990, the Civil Service Commission amended Civil Service Commission Rule 16 - Probationary Period, to increase the probationary period from six (6) months to one (1) year for the following classes:

Class 3532 Program Manager, KALW Radio Station
Class 3533 General Manager, KALW Radio Station
Class 7374 Chief Engineer, KALW Radio Station

Amendments to the 1990 Edition of the Civil Service Commission Rules will be numbered sequentially beginning with this amendment 90-1.

A copy of a revised Amendment Control Sheet is attached and contains the information pertaining to this rule amendment. Please use it to replace the Amendment Control Sheet issued January 2, 1990.

Attached are amended pages 16.9, 16.10, and 16.14 which reflect this amendment and which replace pages 16.9, 16.10 and 16.14 issued January 2, 1990.

Page 16.17 is also being re-issued to clarify the requirements of NOTE B. Please remove page 16.17 issued January 2, 1990.

Additional copies of these pages are available in the Assistant Secretary's Office, Civil Service Commission, Room 153 City Hall.

CIVIL SERVICE COMMISSION

John J. Walsh
General Manager, Personnel

Attachments

JJW/vl